

US EPA ARCHIVE DOCUMENT



CITY OF EMERYVILLE

INCORPORATED 1896

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EMERYVILLE, CALIFORNIA 94608-35 17

TEL: (510) 596-4300 FAX: (510) 658-8095

November 28, 2011

Environmental Management Support, Inc.

Attn: Mr. Don West

8601 Georgia Avenue, Suite 500

Silver Spring, MD 20910

Subject: FY 2012 US EPA Cleanup Grant (Hazardous Materials)

RFA-EPA-OWSER-OBLR-11-07

Star Intersection Affordable Housing, Emeryville, CA

3706 San Pablo Avenue, Emeryville, CA 94608

1066-72 37th Street, Emeryville, CA 94608

1025 West MacArthur Boulevard, Emeryville, CA 94608

Dear Mr. West:

Enclosed please find an application for a Brownfield Hazardous Substance Cleanup Grant for the City of Emeryville, CA for the 1.1-acre Star Intersection Affordable Housing Site. The City is seeking an EPA Cleanup Grant, which will be critical to the successful redevelopment of the site as up to 90 units of affordable family housing. When developed, this project will provide stable, safe, and healthy housing for families in need.

The Star Intersection Affordable Family Housing site is in Emeryville on the San Pablo Avenue corridor. The San Pablo Avenue Corridor is a central arterial connecting Emeryville and Oakland and is largely composed of underutilized commercial properties held in fragmented property ownership. Many properties along the corridor were vacated when the freeway system was constructed in the 1930/40's. The exodus of manufacturing from Emeryville in the 1970s and 1980s accelerated this trend and, in their wake, left a legacy of contaminated, vacant, underutilized, and blighted sites along the corridor and throughout Emeryville.

The economic benefits from the project are both quantitative and qualitative. Stability and greater disposable income will enhance quality of life for residents. The community will also realize associated transformative health, social and economic benefits as the project achieves goals of walkability, transit access for low income households, and furthers the job housing balance in the City.

- A. Applicant: City of Emeryville
1333 Park Avenue
Emeryville CA 94608
- B. DUNS number: 083787846
- C. Funding Requested
- I. Grant Type: Cleanup Grant
 - II. Amount Requested: \$200,000
 - III. Contamination: Hazardous Materials
- D. Location: City of Emeryville, Alameda County, California
- E. Property: Star Intersection Affordable Housing, 3706 San Pablo Avenue, 1066-72 37th Street, 1025 West MacArthur Boulevard, Emeryville, CA 94608
- F. Contacts
- I. Project Director: Amber Evans, P(510)596-4382; F(510)596-4389
aevans@emeryville.org
1333 Park Avenue, Emeryville, CA 94608
 - II. Chief Executives: Nora Davis, Mayor City of Emeryville
1333 Park Avenue, Emeryville, CA 94608
P(510)596-4375; F(510)658-8095
ndavis@emeryville.org
- Patrick O’Keeffe, City Manager
1333 Park Avenue, Emeryville, CA 94608
P(510)596-4371; F(510)658-8095
pokeeffe@emeryville.org
- G. Date Submitted November 28, 2011
- H. Project Period October 2012 - September 2015
- I. Population 10,080 persons
- J. Special Conditions Please see attached Special Considerations Check List

Sincerely,



PATRICK O'KEEFFE

City Manager

Attachment:

2012 EPA Cleanup Grant (Hazardous Materials)

Ranking Criteria for Cleanup Grants

1. Community Need

a. Health, Welfare and the Environment

The Star Intersection Affordable Family Housing site is in Emeryville on the San Pablo Avenue corridor. The Emeryville/Oakland border bisects the site and, as such, the Target Area includes not only the applicant community of Emeryville, but also Oakland neighborhoods. The majority, 75 percent, of the Target Area within a ½ mile radius of the site is in Oakland and 25 percent in Emeryville. It is a combination of 4010 and 4251.04 census

The San Pablo Avenue Corridor is a central arterial connecting the Emeryville and Oakland. The corridor is largely composed of underutilized commercial properties held in fragmented property ownership. Gas stations, auto repair facilities, fabricators and light industry were the primary historical commercial occupants of the corridor. Many properties along the corridor were vacated when the freeway system was constructed in the 1930/40's.

The exodus of manufacturing from Emeryville in the 1970s and 1980s accelerated this trend and, in their wake, left a legacy of contaminated, vacant, under-utilized, and blighted sites along the corridor and throughout Emeryville. Heavy and light industry including asphalt, steel, machinery, and paint manufacturing were the primary historical commercial occupants of Emeryville. Prior to the commencement of cleanup and redevelopment in the 1990s, over half the City was documented as being contaminated by historic occupants. By focusing on brownfields and through its partnership with EPA, Emeryville has assessed, remediated and redeveloped a significant number of contaminated properties. Since 1995, at least 22 of the most economically viable sites have been remediated, creating over 4.4 million square feet of new office and retail space, 488 hotel rooms and over 800 housing units (25% affordable housing).

While substantial progress has been made, much work remains to be done. The smaller, more difficult to develop and market sites remain as a contaminated patchwork between occupied properties. Often these sites are on smaller or fragmented parcels in close proximity to existing or newly developing housing units. With barely over 10,000 residents, each blighted parcel significantly impacts the City and the quality of life for its residents. As evidence of the widespread and pervasive contamination in Emeryville, the State Regional Water Quality Control Board Geotracker Database shows 241 total sites in Emeryville, of which 146 remain open. Of these 241 sites 68 are with ½ a mile of Star Intersection Affordable Housing site. While EPA resources provided to the City have been considerable, the pervasiveness of the contamination has required continual partnership to attain the success achieved.

The project site combined with other adjacent blighted, abandoned, and underutilized properties form a substantially underserved community along the Emeryville - Oakland city line impacting residents in both communities through the creation of unsafe paces for children to play, homeless to camp and thoughtless to dump. The Emeryville neighborhoods in this area are mixed residential,

commercial and light industrial. The adjacent Oakland neighborhood is similar, though with a greater residential component.

Lower-income families and children, and specifically minority families, in the Target Area are significantly stressed. In the Target Area, 67.4 percent of the population is minority. In Emeryville, nearly half of the families with children under 5 live in poverty. According to the Alameda County Public Health Maternal, Child and Adolescent Health Indicators 2009, the African American infant death rate is three times that of their white counterparts and twice the state average. Further, the asthma rate of children under 15 years in Emeryville of 1,423 per 100,000 children, is nearly three times the County rate and over ten times the State rate. According to the Alameda County Health Department, Emeryville has the highest rate of obesity among school age children in the county, with over half of children suffering obesity, and 89% of school age children receiving free or reduced lunch.

	Target Area ⁴	Emeryville	Alameda County	California	US
Percent Minority¹	67.4%	54.4%	57.0%	42.4%	26.7%
Percent families with children under 5 living in poverty ²	NA	47%	9%	16.6%	13.2%
Asthma rate in children under 15³	NA	1,423/100,000	475/100,000	124/100,000	NA

¹ Average of minority percentage in tracts 4010 and 4251.04 obtained from U.S. Census Bureau, 2010 Census, SF1 100% Data

² 2009 American Community Survey

³ West Oakland Environmental Indicators Project in its 2002 "Neighborhood Knowledge for Change" Report examined age adjusted hospitalization rates and actual hospitalization for asthma in Oakland zipcodes, Alameda County and California. 1998 Patient Discharge Data and 1990 census use zipcode data for which Emeryville is contained within a single zip code also including North and West Oakland residents.

⁴ Target Area: All numbers above have been calculated based on a ½ mile radius from the point location of the project. Demographics are figured by averaging population numbers over selected census block groups and using the percent of the block group within the project circle to determine the actual counts.

Emeryville has a significant need for affordable family housing development. Since 1998, over 3,000 individuals have requested affordable housing in Emeryville for which only 239 units are available. Emeryville's 2009-2014 Housing Element's needs analysis shows that 54.3 percent of renter households in Emeryville are low income (15%), very low income (16.9%) and extremely low income (22.4%). Data from the 2000 Comprehensive Housing Affordability Strategy documents the significant cost burden of Emeryville households: 42% of households spend more than 30% of their income for housing and 20% spend more than 50% of their income simply to be housed. Due to this high cost burden and lack of affordable housing, overcrowding is a major problem in Emeryville. Overcrowded units (as defined by the U.S. Census Bureau) have 1.1 to 1.5 persons per room and severely overcrowded units have more than 1.51 persons per room. Between 1990 and 2000, the number of overcrowded units increased by 66 percent and severely overcrowded units

increased by 41 percent.

The redevelopment of the Star Intersection Affordable Family Housing site will directly improve health in the area by removing a source of exposure to surface contamination and potential volatile vapor contamination of indoor air (PCE is a volatile organic compound and known carcinogen). To the extent that the revitalization of this property encourages the clean-up of other sites along the San Pablo corridor, the consequent enhancement of the quality of the local environment will be both obvious and immediate.

b. Financial Need

The economic recession has impacted Emeryville resulting in higher unemployment, foreclosures, and plant closures. In 2011, Bayer, the City's 4th largest employer, announced layoffs of 534 people starting in 2012. This plant closure alone will remove over 3% of the employment opportunities Citywide. According to the most recent market report from Cassidy Turley, office vacancy is 18.5% in Emeryville for the first quarter of 2011. Much of this vacancy is due to the foreclosure of the Watergate Office complex which includes 814,000 square feet in three separate buildings.

The recession has also caused the rate of residential foreclosures to rise dramatically. Since 2007 (the date the City's Housing Department began tracking this data) a total of 448 properties have been in some phase of foreclosure. This statistic includes homes that have received Notices of Defaults (448 units) and homes that have been lost through foreclosure (196 units). The number of units foreclosed in 2010 (the last complete reporting year) have increased by 485% since 2008 (97 compared to 20). This is a significant number of foreclosures for Emeryville, which only has a total of approximately 6,646 units (2010 Census) of which only 2,013 units are owner occupied.

In addition to the impact of the recent economic downturn on housing and employment prospects for Emeryville residents, the current recession has had a substantial impact upon the fiscal condition of the City itself. The loss of tax revenue due to foreclosures and home loan defaults, combined with the State of California claiming local government funds as a result of its own budget crisis, resulted in substantial unforeseen shortfalls in the City budget. Sales tax revenues, representing almost 21% of the City's General Fund, have declined 37% from a high of \$7.8 million in Fiscal Year 2000-01 to approximately \$4.9 million in Fiscal Year 2009-10. In its February 2001 Fiscal Consultant's report, the City's financial advisory, Keyser Marston & Associates, has projected property assessments in the City's redevelopment areas (which cover nearly the entire city) to fall by 22 percent.

This impact is most acutely felt by the vulnerable Target Area population found on the Emeryville/Oakland border as demonstrated by the following statistics. The unemployment rate (based on Oakland representing ¾ of the Target Area population), is 143 percent greater than the County. Similarly, the poverty rate in the Target Area exceeds that of the County by 211% and median household income is 51% of the County.

	Target Area ⁷	Emeryville	Alameda County	California	US
Population ¹	9,518 ⁵	10,080	1,510,271	37,253,956	308,745,538
Unemployment ²	15.3% in Oakland)	7.7% ⁸	10.7%	12.1%	9.1%
Poverty Rate ³	28.5% ⁵	16.5% ⁴	13.5%	15.8%	15.3%
Percent Minority ¹	67.4% ⁶	54.4%	57.0%	42.4%	26.7%
Median Household Income ⁴	\$35,437 ⁵	\$57,211	\$68,863	\$60,392	\$51,425
¹ U.S. Census Bureau, 2010 Census, SF1 100% Data					
² Bureau of Labor Statistics, August 2011					
³ 2010 ACS , Poverty Status in the Past 12 Months, Median Household Income in the Past 12 Months					
⁴ 2005-2009 American Community Survey					
⁵ Claritas Pop-Facts, block group level (2010), Parks-Calif. Protected Areas Database v. 1.6 (Feb. 2011)					
⁶ Average of minority percentage in tracts 4010 and 4251.04 obtained from U.S. Census Bureau, 2010 Census, SF1 100% Data					
⁷ Target Area: All numbers above have been calculated based on a ½ mile radius from the point location of the project. Demographics are figured by averaging population numbers over selected census block groups and using the percent of the block group within the project circle to determine the actual counts.					
⁸ Emeryville data for unemployment is from CA Employment Development Department in 2009, as Alameda County was as same percent in both data sets the comparison using an available data source for local jurisdiction appears valid					

The City of Emeryville requires an EPA grant to proceed with this project because other EPA funds received by the City have been used or are committed to projects that will begin shortly. EPA assistance is critical to continuing Emeryville and Oakland’s community revitalization.

2. Project Description and Feasibility of Success

a. Project Description

i. Project Conditions and Potential Site Reuse

Award of the proposed clean up grant would allow the City to remediate the subject site so it can be developed as 90 units of affordable housing. Once remediated, the Agency will issue an Request for Proposals to developers for 90 units of family housing (a density of up to 70 dwelling units per acre), with family friendly amenities including a courtyard, playground, shared community space, and ground floor retail or preferably community services.

This project furthers Emeryville’s continuing commitment to provide housing for its lower-income residents. The Association of Bay Area Governments (ABAG), for example, in its 2010 “Testing the American Dream in the San Francisco Bay Area – 2009 Housing Report”, identifies Emeryville as the greatest percentage producer of affordable housing relative to total constructed units in the Bay Area. Based on 2008 total units, nearly 14% of Emeryville’s housing stock was affordable,

approximately twice that of the second place city. In Emeryville, about half of its affordable housing stock is occupied by very low income households (50% median income); low income (80 percent of median income) accounts for 21% and moderate income (120% of median) the balance.

Locally, affordable family housing would not be developed without significant investment by the City and its public agency partners. Almost all recent public-benefit projects of this nature have included an element of EPA support (Assessment, Cleanup or Revolving Loan Fund Grants). With regard to these historic projects – and the current project – but for EPA funding to assess and mitigate Brownfield conditions, the projects would not happen.

A physical assessment conducted based on the findings of an AAI-compliant Phase I Environmental Site Assessment (ESA) discovered concentrations of parts cleaner solvent (PCE and TCE) in soil and groundwater beneath this facility. The magnitude and extent of this impact was further characterized through the construction and sampling of groundwater monitoring wells. The results of site assessment showed the occurrence of chlorinated solvents as generally restricted to the area beneath the former auto service facility floor drains. The contaminants pose a threat to human health through soil contact and indoor air exposure, as well as to groundwater quality. No construction can take place on the site until the contamination is remediated.

The site is secured by locked gates on the buildings and by fencing. The contamination is present beneath the floor slab of existing buildings; no human contact can take place without slab removal.

ii. Proposed Cleanup Plan

The City prepared an Analysis of Brownfields Cleanup Alternatives (ABCA) that considered four alternatives. The selected alternative incorporated the minimal impacts and green remediation alternatives. Measures to reduce the carbon impact will include minimization of emissions and shortening of the duration of the cleanup.

An Alternatives for Brownfield Cleanup Analysis was completed for the purposes of evaluating the range of potential cleanup strategies. This analysis in combination with City experience with similar projects indicated that excavation and offsite disposal of the solvent-contaminated soil would be the most cost- and endpoint-appropriate method for remediating the subject property. Groundwater would be pumped from the excavation at the time of excavation. The short-duration project is the least carbon-intensive of all the remedial alternatives.

The existing buildings will be demolished in 2012, allowing access to the area around and beneath the drains for targeted contaminant removal. Over and above outreach and community engagement activities described elsewhere in this application, specific cleanup tasks will include:

1. Outreach and Planning
2. Preparation of a Sampling and Analysis Plan
3. Preparation of a Site Cleanup Plan

4. Removal of approximately 500 cubic yards of solvent-contaminated soil from beneath the former auto service facility, confirmation sampling and analysis, backfill and compaction.
5. Preparation of completion report.

b. Budget

i. Budget Table

2012 Cleanup Grant Cooperative Agreement Budget

Cooperative Agreement Budget

	Task 1	Task 2	Task 3	Task 4	Task 5	Total
Task	Outreach &	Sampling &	Site	Remedial	Results &	
Descriptions	Planning	Analysis Plan	Cleanup Plan	Excavation	Reporting	
Personnel						
Benefits						
Travel	3,000					3,000
Equipment						
Supplies	500					500
Contractual	3,000	10,000	15,000	155,000	53,500	236,500
City Match				20,000	20,000	40,000
Total EPA Funds	6,500	10,000	15,000	155,000	53,500	200,000
Total Project						240,000

Task 1 –Outreach and Planning

The Sampling and Analysis Plan and Site Cleanup Plan will be released for public review and one to two publicly noticed meetings to discuss any community concerns such as exposure, noise or dust will be coordinated by staff to include presentations by contractors expert in the site conditions.

Task 2 - Sampling and Analysis Plan

Pursuant to EPA project requirements, the selected project contractor shall prepare a Sampling and Analysis Plan (and Quality Assurance Project Plan) detailing the protocol for site assessment, data and data quality objectives, and the anticipated iterations of site testing and reporting.

Task 3 – Site Cleanup Plan

The Site Cleanup Plan (SCP) will include an analysis of cleanup alternatives and a selection of the appropriate remedy. Based on City experience with similar projects, remediation by focused excavation will be determined to be the most cost and schedule-effective manner of contaminant removal.

Task 4 – Remedial Excavation

The contamination is localized near floor drains beneath the former auto repair facility. Excavation of sediments beneath and around these drains and the utility connecting them will remove this source of groundwater and indoor air contamination and make the property ready for redevelopment.

Task 5 - Completion Reporting

The data collected during excavation will be assembled into a comprehensive report describing the source of contamination, the implemented remedy, and the post-remediation condition of the property.

ii. Outcome and Output Tracking- The immediately measurable outputs attributable to the investment of EPA funds include 1.1-acre cleaned, dollars leveraged for cleanup, and jobs created for cleanup efforts. Outcomes after the investment will include development of up to 90 units restricted to persons at or below the Area Median Income, the square footage of space used for other economic and community benefits, the square feet of open space and play space, and employment associated with development and operations.

City of Emeryville Brownfield assessment and cleanup projects are tracked by way of an internal schedule that reflects the milestones recorded in the project Workplan. Staff have managed many similar projects, and are aware of schedule-upsetting complications that may occur during the conduct of the field work, as well as the administrative requirements of the City with regard to contractor solicitation, retention and the participatory requirements of the City Council. As such, City staff creates a conservatively reasonable schedule and track progress by identified milestone. The selected contractor is a partner to schedule development, and understands the importance of communicating project changes immediately upon their identification. If the change requires schedule modification the change is made and communicated to all involved parties, including management, the City Council, EPA by way of quarterly progress reports, and project partners.

A similar, though more robust, approach is taken for the tracking of the redevelopment and marketing effort to follow site cleanup.

iii. Leveraging – The project, when completed, will be the acquisition, clean-up, assemblage, and ultimate redevelopment of a 1.1-acre site for affordable housing. Of the leveraged resources, the Emeryville Redevelopment Agency has already acquired the properties: at 3706 San Pablo Avenue, 1066-72 37th Street and 1025 West MacArthur Avenue for a total of \$1.5 million. These funds will serve as a land write-down to ensure the selected developer will offer the most financially feasible affordable family housing project with the required family supportive amenities. Additionally the Emeryville Redevelopment Agency is funding \$700,000 for demolition, fencing and maintenance of the site until the site is developed. Future construction subsidies would be made available from the Agency's 20 percent low and moderate income housing fund or from State or Federal housing

assistance programs. Future costs of remediation will be made available from the City's EPA Revolving Loan Fund, which is well capitalized for this purpose.

Preliminary estimates indicate the Cleanup Grant resource will fund much, but not all, of the remediation expense. The City plans to leverage other resources for the balance of the funding, including Redevelopment Agency general funds..

c. Programmatic Capability and Past Performance

i) Programmatic Capability

Since 1996, as recorded in ACRES, the City has managed twelve EPA grants including cleanup (4), assessment (5), and revolving loan (3). As with other EPA grants, the Grant will be managed by the City's Economic Development and Housing Department which has over 15 years experience managing EPA grants for Brownfield Assessments, Cleanups and Revolving Loan Funds. Staff and retained support manage every aspect of the City Brownfield program, including grant management, administration of loans and sub-grants for the assessment and cleanup of Emeryville Brownfield sites, as well as the provision of technical assistance to local businesses and developers as they conduct their own due diligence and privately funded redevelopment projects. The Department Head has over 20 years in redevelopment and Brownfield project experience; staff report directly to her. The Department has also retained the services of a retained on-call Brownfield expert for advisory and management support. This contractor (Markus Niebanck PG, of Amicus) does not perform assessment or remedial services for the City, and is therefore able to provide completely objective technical guidance and support. Cross-training within the Department mitigates risk in case of staff turn-over. The Finance and Legal Department Heads have over 15 years management experience with EPA grants for Brownfield Assessments, Cleanups and Revolving Loan Funds.

Grant management has involved procurement, monitoring, disbursement and reimbursement, and reporting. City staff has simultaneously managed multiple environmental consultants.

For all the EPA grants managed by the City, staff has carefully prepared consultant scopes of work and monitored MBE/WBE and other cooperative agreement requirements. Staff has ensured that consultants remained on task and adhered to the budget as closely as possible. The City's financial system segregates fund sources for ease of tracking. Project and finance staff regularly reconciles project costs to assure that costs are properly tracked. In the aforementioned agreements, there were no contract amendments for cost overruns.

ii) Adverse Audits - EPA contractors audited the City of Emeryville's financial grant management system in 2010. While the audit found most of the system to function appropriately, the auditor documented two findings in need of corrective action. The findings included the need to prepare a Schedule of Expenditures of Federal Awards/Timeliness of Grant Reporting and the establishment of a system to increase the frequency of grant draws. The audit acknowledged that the recent increase in length of time to draw was in part due to a turnover in personnel and

project/expenditure schedule, but recommended that a written policy be recorded to guide future actions. The policy was drafted as recommended and implemented. A report of implementation was submitted to EPA.

iii) Past Performance - Past Recipient and Currently Managing an EPA Brownfields Grant

The City of Emeryville is both a past recipient and current EPA grantee. In compliance with grant and program requirements, Emeryville reports technical and financial progress by way of the Quarterly Report and ACRES progress communication systems. Emeryville has no adverse audit findings associated with any of its grants.

Emeryville grants have been sought primarily for public benefit projects – work that would have been far more difficult (if not impossible) to fund and carry out without the assistance of EPA. Recent Brownfield grant-funded projects are described below:

2009 ARRA Revolving Loan Fund Grant - 2B- 00T31701 – Originally intended for investment in the HSP/Collins Emeryville Greenway cleanup, the RLF was reprogrammed to a nearby alternative Greenway site more in need of the funding resource. This new target site is a former chrome-plating facility and the last remaining section of Greenway prior to its segment over the UPRR railroad tracks to the Bay Street shopping complex. A critical stretch of Greenway, the acquisition and cleanup of this site is very important to the surrounding community and every resident that utilizes this recreational space. Balance in grant - \$0.5M (project underway, remediation and exhaustion of grant funding anticipated for spring 2012).

2009 Cleanup Grant – BF-00T32401 – Horton Landing Park and Emeryville Community Garden

The 2009 Cleanup Grant is funding remediation at two public-benefit projects in Emeryville. The first, a removal action at Horton Landing Park (HLP), will facilitate the delivery of the southernmost portion of the Emeryville Greenway for pedestrian access. The Greenway, a former Union Pacific rail spur, runs from the location of Horton Landing Park through Emeryville to the Berkeley border. The spur has been almost completely remediated and redeveloped (some parcels remain for acquisition and cleanup). The 2009 Cleanup Grant is also funding the spring 2012 removal of shallow lead-containing soil from a parcel being redeveloped by the City for use as a Community Garden. Balance in grant - \$0.2M.

2009 Revolving Loan Fund Grant – BF-0T23601 – This loan is dedicated to the environmental remediation of the former Westinghouse site adjacent to the Emeryville Amtrak station. It is anticipated that site cleanup using the RLF resource will commence in 2012. Balance in grant - \$1.5M (fully subscribed)

2008 Assessment Grant – BF-96921301 – HLP and Magnolia Housing Site

This EPA resource assisted in the evaluation of site conditions at a future park site and on a parcel being remediated/built out by an affordable housing developer for special-need adult residents. The park site occupies the former rail spur upon which the Greenway is being created, and the

assessment grant funded the evaluation of historic railroad-related conditions. The affordable housing site is a parcel previously part of a larger industrial baking operation. This parcel was impacted by petroleum hydrocarbons from vehicle fueling and metals contamination in shallow site soils. This grant has been completed and closed.

2006 Cleanup Grant - BF-96985401 – Former Ambassador Laundry (Affordable Housing)

The Ambassador site was an abandoned industrial laundry. This cleanup grant followed a site assessment and cleanup plan financed by California Treasurer revolving loan funds (CalReUSE) administered by the City of Emeryville. Housing construction will break ground in early 2012. Without these sources of public funding the affordable housing project planned for this site would have been far more difficult, if not impossible, to complete. This grant has been completed and closed.

3. Community Engagement and Participation

Emeryville's Brownfield program's successes result from on-going wide-spread support from existing and new residents. By reaching out to the community before and during the process, the City learns more of particular neighborhood priorities and needs, and is able to utilize this understanding during the cleanup phase of project activity to fully protect residents from the potential effects of the remediation itself.

a. Plan for involving the affected community

To ensure its consistency with community supported values, local empowerment and government transparency, community stakeholders have had several opportunities to contribute to the content of the grant proposal. Residents were notified of the preparation and submission of the grant as indicated below. Similarly, the City will continue to provide information to the stakeholders in the same manner, particularly prior to submitting the workplan and executing the cooperative agreement:

Emeryville City Council. The City Council reviewed the proposal outline at their November 1, 2011 meeting. Council members were requested to provide suggestions and comments. The Council agendas are widely distributed and posted, and meetings are televised.

Public Meeting. The public was invited to comment on the Analysis of Brownfield's Cleanup Alternatives and review the draft Grant Application at a November 3, 2011 meeting. The Public Notice for this meeting is attached to the threshold criteria. The meeting notice was posted, emailed, and posted on the City website. Attachment 7 provides evidence of this effort as well as comments received at the meeting and the City response to comments.

Direct Communication. City staff solicit comments from key stakeholders directly. These stakeholders include the Planning Commission, Housing Committee, Park Avenue District Advisory Committee, Emeryville Artists' Cooperative, Emeryville Celebration of the Arts, Transportation Management Association, Emeryville Community Action Program, and Emeryville Chamber of Commerce.

According to the Census, approximately 10 percent of Emeryville's residents speak English *less than very well*. Punjabi and Spanish speakers comprise most of these persons. The City has not found it necessary to provide information in other languages, but will do so as requested. This has also been the practice of other regulatory agencies, including DTSC.

Other outreach activities

- Periodically, staff hosts or attend neighborhood meetings to discuss citywide issues.
- Emeryville has a free monthly e-newsletter and a quarterly *Emeryville Activity Guide* which is distributed free to all business and residential addresses in the City. Current information on the project and the acquisition of the site and need to characterize and remediate were broadcast through this Guide, which is also available on the Internet in PDF format. Additional updates are expected in these venues.
- Every month, the City staff prepares status reports to City Council, available to the general public, including brownfields program activities.
- Staff will involve other Citizen Advisory Committees that have an interest in this project, including the Planning Commission and the Housing Committee which meet monthly to discuss current and future projects and policy.

b. Efforts to Develop Partnerships

i. Local & State Level and Job Training Programs.

Local: This site assemblage, located as it is in both Emeryville and Oakland, offers a unique opportunity for the two cities to work collaboratively to ensure greater benefit of site investment in the broader corridor. Specifically, the Oakland and Emeryville Building, Fire, and Police Departments will share responsibility for plan review, site inspection and approvals pursuant to a Memorandum of Understanding (MOU) between the two cities. City of Oakland partners include the City Council Office, Redevelopment Agency and Housing and Community Development Department as well as community based organization in Oakland.

State: Dating back to its 1996 partnership in the Emeryville Brownfield Pilot Program, the City and EPA have worked collaboratively on numerous local projects and national Brownfield policy undertakings. The 1996 partnership convened both a broad-based Community Task force and a Technical Advisory Team to tackle Emeryville's legacy contamination issues. A comprehensive property inventory was created, and from this a GIS database incorporating environmental, economic, land use and zoning information for the purposes of Brownfield redevelopment planning. The partnership has continued over the years as Emeryville leveraged grant resources for its Brownfield work, much of it for affordable housing and greenspace.

From the foundation created by the early partnerships Emeryville has built an enduring relationship with the other jurisdictional agencies, namely the DTSC and the RWQCB, the entities responsible for overseeing cleanup of hazardous substance and petroleum sites, respectively. Emeryville has also entered into a MOU with these agencies, permitting the City to act as its own regulator on low risk cases. The terms of this MOU permit the City to direct activities at low risk

sites. All activities are conducted in accordance with applicable rules and regulations and the statutory agencies provide final signoff at the conclusion of the project, providing the ultimate regulatory closure assurance required by developers and the community. The regulatory agency partnerships are invaluable to the City and have facilitated the redevelopment of many local Brownfield properties.

The City also participates in State Brownfields activities. The City has a cooperative agreement with the State Treasurer’s Office, California Pollution Control Financing Authority, to provide assessment loans under their Cal ReUSE (Recycle Underutilized Sites) program.

Job Training: The City of Emeryville has engaged the Oakland based Cypress Mandela Job Training Program to determine feasibility of partnering so Emeryville residents can receive training in exchange for hiring preference for Emeryville’s site clean-up projects. Additionally, Emeryville was awarded a \$200,000 grant from the Department of Labor to coordinate regional participation in the City of Richmond’s Green Job Academy in the construction trades and renewable energy. It is the intent of the City to initiate links between this training effort, marketed to Emeryville residents as of August 2010, and site redevelopment.

c. Role of CBOs

The Community-based Organizations that will be involved in the project are described below. Please Attachment iii for documentation of stakeholder commitment to partnership and support for the project.

Group/Contact	Description	Role in Project
Emeryville Chamber of Commerce - <i>Bob Canter</i> , (510)652-5223	Promotes commercial, industrial and government relations.	Will promote RFP for Developers to membership and solicit stakeholder representatives to public meeting. Will support lobbying and grant solicitations for the site’s redevelopment
Cyprus Mandela Job Training Program, <i>Art Shanks</i> (510)208-7350	Non-profit based in West Oakland providing direct training assistance in brownfield remediation to low-income residents in Oakland	Will work to develop program where Emeryville residents receive training in exchange for hiring preference for this clean-up project.
Transportation Management Association, <i>Peter Oswald</i> , 925-321-9753	Association of Emeryville employers and property owners that fund the Emery-Go-Round.	We review service provision for enhanced services to site and linkage to 40 th Bus Hub and BART station
		Will collaborate with City to define family

Group/Contact	Description	Role in Project
Emery Unified School District Debra Lindo 510- 601-4906	The City's local school district.	friendly housing on the site and promote services of the proposed Community Center for Family Life to the prospective residents.
East Bay Housing Organization, Amie Fishman (510) 663-3830 X 323	Organization that facilitates recruitment of residents to affordable housing projects	Will solicit developers of affordable housing to respond to RFP and advertise occupancy opportunities.
East Bay Asian Local Development Corporation (EBALDC) Jeremy Liu (510) 287-5353	A non-profit housing developer with adjacent developments	Will collaborate with City to review Request for Proposal and define family friendly housing on the site
City of Oakland – - West Oakland Councilmember, Jane Breuner 510-238-7001 - West Oakland Redevelopment Area , Jeff Chew 510238-3629 - Oakland Housing and Community Development , Michele Byrd 510-238-3714	City Departments with responsibility for capital investment, transit enhancements, additional affordable housing and street beautification in the adjacent City of Oakland	Will collaborate in seeking additional grant funding for improvements to the San Pablo Corridor and this project site, market development opportunity to developers, market occupancy opportunity to prospective residents, and facilitate capital investment to areas immediately south of the project site
Housing Committee	Committee that provides policy advice on the implementation of the Housing Element and Citywide housing policies.	Will explore feasibility of Family Housing policy and application of policy to the RFP for developers.
Planning Commission	Appointed commission that provides policy direction to staff on development projects.	Will consider conditions of approval such as provision of open space and parking in site development.

4. Project Benefits

a. Welfare and/or Public Health

The remediation of this site will allow for the development of 90 units of affordable housing for low income families, meeting a critical need in the community. The development of the abandoned property will alleviate blight by replacing vacant, dilapidated buildings with an attractive in-fill affordable housing project that will be a catalyst for continued revitalization of the San Pablo Avenue corridor.

By providing families with access to secure, stable, and affordable family housing, the project will

reduce stress, enhance well being, and increase access to amenities that promote a healthy lifestyle. Low-income families occupying the project will be within easy access of a major bus hub, neighborhood services, and within walking distance from Emeryville's elementary, middle, and high school.

By providing a stable home, freeing up disposable income, and reducing stress, the proposed development will alleviate a host of health conditions for its residents. For those moving from substandard housing, benefits include lowered exposure to neurotoxins such as lead, allergens such as mold, and vermin. The housing subsidy program will allow families at 50-60% of the Area median income to maintain 70% of their income for medical care, food and other needs. For the chronically ill, this income relief can include better care for their conditions. For children living in poverty, a stable environment not only reduces stress, but reduces mental health problems, developmental delays, and depression often found among homeless children.

b. Economic Benefits and/or Greenspace

The redevelopment of the site will create affordable dwellings for residents in need and return over one acre of blighted property to the tax rolls. The economic benefits for the future residents are almost immeasurable. As noted above, stability and greater disposable income will enhance quality of life for residents.

The community will benefit as affordable housing is a proven catalyst for neighborhood revitalization. The 90 affordable units constructed on this site will result in construction jobs, permanent employment related to managing the project, and resident spending that supports local businesses and generates additional sales taxes to support local services and create new jobs. A 2010 study conducted by the National Association of Homebuilders found that the estimated one-year local impacts of building 100 affordable apartments include \$7.9 million in local income, \$827,000 in taxes and other local government revenue and creation of 122 local jobs. Because $\frac{3}{4}$ or the Target Area is in Oakland, these benefits will accrue to both cities.

Specifically, the project is anticipated to catalyze future development on the most blighted portion of San Pablo Avenue, directly adjacent to the West Oakland border. As Emeryville leads in the corridor reuse, this development will demonstrate the feasibility of redevelopment to owners of long fallow properties along the corridor in adjacent North and West Oakland, communities long impacted by divestment. New commercial, residential, and mixed use projects will fill in underutilized sites and maximize economic benefit for the community.

c. Environmental Benefits from Infrastructure/Sustainable Reuse

The opportunity to remediate an acre through EPA Grant assistance will allow Emeryville to develop a high density, transit oriented, affordable housing project on a transit rich corridor. The San Pablo Corridor runs 14 miles through two counties and seven urban and suburban cities and

has been targeted by both transit planning and regional smart growth planning efforts for higher density residential development. The site is proximate to the 40th Street and San Pablo Avenue Transit Hub, which is served by a high level of bus service (including a SMART Corridor with Bus Rapid Transit Service and the free Emery-Go-Round Bay Area Rapid Transit shuttle) and the Adeline Street Bike Route. The site is also within the area covered by the City's San Pablo Avenue Corridor Plan, and has been designated for mixed use with a neighborhood serving retail overlay. The General Plan envisions San Pablo Avenue "as a walkable, mixed-use corridor, supporting a neighborhood center around the intersection of Park Avenue, transit center at 40th Street and the proposed Emeryville Center for Community Life at the Secondary School Site."

This development will fulfill the goals of the Sustainability Element of the 2009 Emeryville General Plan, which states:

"The purpose of sustainability in Emeryville—and its incorporation throughout the General Plan—is to take responsibility for the urban development and population growth projected during the planning period and their potential impact on the environment. By implementing sustainable design measures and policies, Emeryville can reduce its contribution to global climate change, minimize its reliance on foreign oil and other fossil-fuel sources, and decrease consumption of natural resources."

As guided by Emeryville's Climate Action Plan, the project will be Green Point rated or LEED certified and will include sustainability-oriented "green" construction techniques, water conservation, storm water detention and management. In-place utilities and, as noted above, existing transportation routes will support the ultimate redeveloped property use.

**Threshold Criteria for Cleanup Grant for Star Intersection Affordable Housing
Emeryville, CA**

1. Applicant Eligibility.

- a. **Eligible Entity** - The applicant is the City of Emeryville (the "City"). The City meets the definition of *local government* under 40 CFR 31.
- b. **Site Ownership** – The applicant owns the property fee title.

2. Letter from State Regulatory Authority. Letters from the California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board are found in Attachment 1.

3. Site Eligibility and Property Ownership Eligibility

Site Description: The assembled site has been vacant since 2005. The property to be remediated under the grant proposal totals 1.12 acres and consists of contiguous parcels located at 3706 San Pablo Avenue, 1066-72 37th Street, and 1025 West MacArthur Boulevard. The property spans the Emeryville – Oakland border. The site has development capacity for over 90 units and community services.

A. Basic Site Information

- a. *Site Name.* Star Intersection Affordable Housing site
- b. *Address.* 3706 San Pablo Avenue Emeryville, CA 94608
- c. *Owner.* City of Emeryville
- d. *NA*

B. Status and History of Contamination at the Site

- a. *Type of contamination.* Hazardous substances
- b. *Operational History and Current Use.* The 3706 San Pablo Avenue and 1066-72 37th Street property is improved with two masonry buildings totaling 18,175 square-feet. The buildings were utilized by the Golden Gate Lock and Key Company for many years and have been vacant since 2005. When operational, it was occupied by commercial and light industrial businesses including an auto services business. In October 2011 the City Council approved demolition of the building due to its blighted condition including lead paint and asbestos in the facilities in February 2012.
- c. *Environmental Concerns* The results of physical testing conducted in early 2011 confirmed the presence of parts-cleaning chemicals (solvents) in soil and groundwater on the site. The contamination exceeds regulatory levels acceptable for property use for commercial or residential purposes.
- d. *Contamination History and Extent* A prior auto service business apparently discharged parts-cleaning solvents (PCE, TCE) during its operation at the

property. Elevated levels of this contamination were detected in site soil and groundwater samples collected during a preliminary site-condition evaluation. Subsequent phases of Phase II testing confirmed the source of contamination and established groundwater flow direction, as well as the magnitude and extent of contamination.

Other historical uses at or near the site include steel manufacture/recycling, furniture finishing, an oxygen plant, auto repair, and dry cleaning solvent recycling.

- C. *Affirmations regarding Eligible Sites.* The City confirms and affirms that the following apply to the site:
- 1) *The site is not listed, or proposed for listing on the National Priorities List;*
 - 2) *The site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and*
 - 3) *The site is not subject to the jurisdiction, custody, or control of the United States.*
- D. *Site-specific determination.* A site-specific determination is not necessary.
- E. *Site Assessments.* An AAI-compliant Phase I Environmental Site Assessment was completed prior to City acquisition of the property. The Phase I indicated past uses that could have caused environmental contamination, and recommended the completion of physical testing. Three individual episodes of targeted physical testing were subsequently completed. The City's consultant, the Source Group, SGI collected grab soil and groundwater samples from areas of prior operations for the purposes of evaluating general environmental conditions. Results showed the presence of the halogenated solvent TCE, a substance commonly utilized in the auto service and manufacturing business, in site soil and groundwater. A second phase of testing was conducted for the purposes of evaluating the potential source of contamination. Results of analysis showed the presence of higher concentrations of TCE in soil and groundwater samples collected next to a floor drain and distressed concrete flooring. A final phase of testing was conducted to assess groundwater quality in areas not previously explored and to calculate the local direction of groundwater movement.
- F. *Non-responsible Party.* The City affirms that it is not potentially liable for contamination at the site under CERCLA Section 107. The City did not own the site at the time of disposal of a hazardous substance, is not a party that arranged for the treatment or disposal of hazardous substances, or a party that accepted hazardous substances for transport to disposal or treatment facilities at the site.

By a preponderance of the evidence the City has established the following:

- a. *Disposal at the facility occurred prior to acquisition* - the City did not own the site and has not undertaken any operations at the site other than site assessment and planned demolition;
- b. The City made all appropriate inquiry into previous ownership and uses of the facility in accordance with generally accepted practices and in accordance with the new standards - the City conducted an AAI/ASTM E 1527-05 compliant Phase I ESA;
- c. The City will provide all legally required notices with respect to hazardous substances found at the facility - no notices are necessary at this point, but will be provided should notices, deed restrictions and/or Institutional Controls be required in the future;
- d. *The City will exercise "appropriate care" with respect to the hazardous substances found at the facility by taking "reasonable steps" to:*
 - 1 *stop any continuing releases* - the City will restrict access as necessary to prevent contact with soil contamination, and coordinate with Alameda County to regulate well drilling;
 - 2 *prevent any threatened future release* - the City plans to remove contaminated soil, de-water, dispose and treat off-site and monitor groundwater for a year;
 - 3 *prevent or limit human, environmental or natural resource exposure to any previously released hazardous substance* - the City will remove or cap hazardous materials that are potential threats to the public and the environment;
- e. The City will provide full cooperation and access to the facility to those authorized to conduct response - while not necessary at this time, the City will cooperate and provide access if indicated by additional investigation;
- f. The City will be in compliance with land use restrictions and will not impede the effectiveness or integrity of any institutional control - the City has tools and processes in place to ensure the integrity of engineering and Institutional Controls;
- g. The City will comply with any information request or administrative subpoena under CERCLA; and
- h. The City is not potentially liable for response costs at the facility or "affiliated" with any such person through
 - 1 *direct or indirect familial relationship, or*
 - 2 *any contractual, corporate or financial relationship* - the City has no relationship with potentially responsible parties;

G. *Enforcement Actions.* The site will be under the oversight of either the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) or the City of Emeryville. Under a Memorandum of Understanding (MOU)

with the DTSC and the Regional Water Quality Control Board (RWQCB), the City is authorized to assume lead agency status for low-risk sites. The City has been coordinating with both regulatory agencies on sites elsewhere in the City. At this time, the regulatory agencies have not taken environmental enforcement actions at the site and it has not been determined if oversight responsibility will be assigned to DTSC or to the City. There have not been any inquiries from Federal, State or local agencies regarding any potential hazardous materials on the site.

H. Liability and defenses/protections.

- a. *Information on property acquisition.* The Agency acquired the site in December 2010 with the intention of developing it as an affordable housing project. The Agency subsequently acquired an adjoining property at 1025 West MacArthur Blvd in June 2011, and intends to assemble both sites for the affordable housing project. On June 28, 2011, the Agency transferred the property to the City to carry out the development as intended at the time of acquisition. The City and Agency had no prior contractual, corporate or financial relationship with the prior owner or operator.
- b. *Timing of disposal.* Any release of hazardous materials onto the site would have occurred before the Agency or City took possession. The City affirms that it has never arranged for the disposal at, or transport of hazardous substances from the site.
- c. *Pre-purchase Inquiry.* A Phase I Environmental Site Assessment consistent with AAI standards was initiated in September 2009 and due diligence, complete with physical testing equivalent to a Draft Phase II was completed in April 2010. The City executed a Purchase and Sale Agreement shortly thereafter, with the due diligence period specified in contract running until September 2010. The Phase I ESA was updated along with an estimate of cleanup expense in October 2010. As the site was vacant and secure for the entirety of 2010, no material change occurred during this period and the findings of the ESA remained the same.
- d. *Post acquisition use.* The site has been vacant since 2005. The City will be demolishing the existing building in January 2012 and will conduct lead and asbestos abatement prior to demolition. The building foundation will remain in place to avoid exposure risk from soil or groundwater under the foundation. *Continuing obligations.* Upon taking possession, the City replaced substandard fencing to restrict access to the site. Temporary controls for dust and groundwater migration have not been necessary. Pursuant the MOU with DTSC and RWQCB, the regulatory agencies retain review authority over the City remediation projects. The City will comply with all information requests and administrative subpoenas that may be issued with regard to the site, and provide all legally required notices.

4. Cleanup Authority and Oversight Structure

- A. *Oversight.* The site will be under the oversight of either the DTSC or the City. Under a Memorandum of Understanding (MOU) with the DTSC and the RWQCB, the City is authorized to assume lead agency status for low risk sites. Under the MOU, the City may conditionally approve a remedial action, with approval subject to the concurrence of DTSC or RWQCB. The City has already used this process for six sites. The City has retained a Registered Environmental Assessor who conducts regulatory activities for and provides technical services to the City. Copies of the MOU are available upon request.
- B. *Adjacent properties.* The property is bound by 36th Street to the south, single family residential property to the east, San Pablo Avenue to the west and the West MacArthur Boulevard to the north. The assembled property is partially within the City of Oakland but the sites to be remediated by this grant are solely within Emeryville.

5. Cost Share.

The \$40,000 cost share will be paid from tax increment funds from the City's Redevelopment Agency or the City's General Fund. The cost share will be in the form of a direct contribution for contractual cleanup activities. Such activities include remediation contractor costs, regulatory agency oversight costs, and consultant oversight costs. The City does not intend to use staff labor costs as a cost share. The City Council acknowledged the cost share requirement in its direction to staff to submit a grant proposal.

6. Community Notification.

The Analysis of Brownfield Cleanup Alternatives (ABCA) is attached to the Proposal in Attachment 2.

Attached to the proposal as Attachment 5 is the evidence of our outreach including:

- Advertisement printed prior to November 14, 2011
- Public Comments on ABCA
- Response to Comments on ABCA
- Council Agenda and Public Meeting Agenda for Grant Proposal and Draft ABCA
- Meeting notes from ABCA and Draft Grant
- Sign In Sheet

Attachment 1
Letter from State

Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
700 Heinz Avenue
Berkeley, California 94710-2721



Edmund G. Brown Jr.
Governor

October 28, 2011

Debbie Schechter
Brownfields & Site Assessment Section Chief
US Environmental Protection Agency, Region 9
75 Hawthorne St., SFD 9-1
San Francisco, California 94105

Dear Ms. Schechter:

The California Department of Toxic Substances Control (DTSC) has lead regulatory responsibility for investigating and remediating hazardous substances release sites in California. DTSC fully supports the efforts of the City of Emeryville to apply for a Brownfields Cleanup Grant from the U.S. Environmental Protection Agency (U.S. EPA) for the 3706 San Pablo Assemblage Site located in Emeryville, California. DTSC has worked with the City of Emeryville on numerous projects, including the 3706 San Pablo Assemblage Site, where site investigation and remedial planning is being conducted under our Targeted Site Assessment Program. DTSC looks forward to working with the City of Emeryville to ensure that the appropriate clean-up is implemented at this Site.

This Site, a vacant former light industrial property adjoining a residential neighborhood and situated on a local transit corridor, is well suited for the investment of Brownfield Grant funds. The productive redevelopment of this parcel will contribute to needed economic development in this area. With successful address of the contamination, the corridor can become a vibrant mixed use destination inclusive of higher density affordable housing supporting the principals of sustainable reuse.

Debbie Schechter
October 28, 2011
Page 2

Thank you for the opportunity to voice our support of this crucial funding. Please contact Janet Naito at (510) 540-3833 or jnaito@dtsc.ca.gov if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Cook".

Barbara Cook, P.E.
Acting Assistant Deputy Director
Brownfields and Environmental Restoration Program

cc: Helen Bean, Director
Economic Development and Housing Department
City of Emeryville
1333 Park Avenue
Emeryville, California 94608



California Regional Water Quality Control Board

San Francisco Bay Region



Matthew Rodriguez
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>

Edmund G. Brown, Jr.
Governor

Date: November 8, 2011
File No. 2223.01 (RL)

Debbie Schechter
Brownfield and Site Assessment Section Chief
US Environmental Protection Agency Region 9
75 Hawthorne St SFD 9-1
San Francisco, CA 94105

Re: Proposal for EPA Grant Funding
Brownfields Clean-up Grant – 3706 San Pablo Assemblage

Dear Ms. Schechter:

I'm sending this acknowledgement letter in association with City of Emeryville's EPA Brownfield Grant Application for the environmental clean-up of the above-captioned property.

The California Regional Water Quality Control Board, San Francisco Bay Region (RWQCB), has worked with City of Emeryville on sites such as this one. The RWQCB supports this undertaking, and looks forward to working with Emeryville on this project to provide regulatory guidance and to help return another local underutilized property to productive use.

Emeryville's partnership with EPA and the community has helped to transform former Bay Area industrial land to the benefit of local residents and the East Bay community as a whole, with increased jobs, opportunities, and quality of life.

There is still work to be done, particularly with regard to public benefit projects. This project site, a vacant former light industrial property adjoining a residential neighborhood and situated on a local transit corridor, is particularly well suited for the investment of Brownfield Grant funds. The redevelopment of this parcel will bring benefits and encourage other investment in the community.

Emeryville's groundbreaking work can have implications throughout the corridor. This property is located in a geographically important location, adjacent to an underserved neighborhood and near the gateway to Oakland. The productive redevelopment of this parcel will contribute to needed economic development in this area. Once site contamination is addressed, the corridor can become a vibrant mixed use destination inclusive of higher density affordable housing.

If you have any questions concerning this letter, please contact Randy Lee of my staff at (510) 622-2375, [e-mail: rylee@waterboards.ca.gov].

Sincerely,

Handwritten signature of Stephen Hill in cursive script.

Digitally signed by Stephen Hill
Date: 2011.11.08 12:32:20
-08'00'

Bruce H. Wolfe
Executive Officer

cc:

Helen Bean, Director
Economic Development and Housing Department
City of Emeryville
1333 Park Avenue
Emeryville, CA 94608

Attachment 2
Analysis of Brownfield Cleanup Alternatives
(ABCA)

Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up

ANALYSIS OF BROWNFIELD CLEANUP OBJECTIVES

Preliminary Evaluation

Prepared by the City of Emeryville

City of Emeryville Star Intersection Affordable Housing Project

3706 San Pablo Avenue, Emeryville, California

1.0 Introduction and Background

The purpose of this preliminary Analysis of Brownfield Cleanup Alternatives (ABCA) is the evaluation of site conditions and possible remedial alternatives. This evaluation will be expanded, modified if necessary, and incorporated into the final Site Cleanup Plan for review by the community, project partners, the regulatory oversight agency and the EPA.

1.1 Site Location

The Star Intersection Affordable Housing Project (the Project) property is located at 3706 San Pablo Avenue in Emeryville, CA (this is the address of one of several parcels that make up the property assemblage). The site is approximately one acre in size, and is located along the primary urban north-south route through Emeryville and Oakland (see attached figure for site location).

1.2 Ownership and Previous Site Use

The property is presently vacant, though was historically occupied by automobile service, light industrial and commercial businesses. Based on a review of available historical data, the Subject Property was developed prior to 1902, starting with a residence along 37th Street and a small building at the corner of 37th Street and San Pablo Avenue.

Between 1902 and 1912, a series of retail shops were constructed along San Pablo Avenue. Two of the three warehouse buildings currently occupying the Subject Property were built before 1931, while the third was built between 1946 and 1951.

1.3 Site Assessment Findings

The City of Emeryville evaluated the project property prior to a 2011 acquisition in accordance with the EPA All Appropriate Inquiries Rule (AAI). Specifically, based on a competitive bidding process, the City retained The Source Group, Inc. (SGI) for the purposes of preparing a Phase I Environmental Site Assessment in accordance with AAI and the ASTM E 1527-05 standard for conducting environmental due diligence.

The ESA identified potential Recognized Environmental Conditions (RECs) associated with historic property tenants and uses. These findings and the results of the physical

investigation that was commissioned to investigate the RECs is described below. The SGI site plan showing layout and investigation elements is attached.

Phase I ESA

From the SGI ESA:

The Subject Property is comprised of three warehouse style buildings, a small concrete paved parking lot and a large open lot with mixed paving and dirt covering. The first warehouse style building (Building 1) is located along San Pablo Avenue. The building is wooden framed with brick walls on a concrete foundation. The interior of the building has been subdivided into seven retail shop areas. Building 1 is currently empty. Building 2 is wooden framed with concrete block walls on a concrete foundation. The interior is open inside with the exception of a several small rooms in the southwest corner. Building 3 was built parallel to MacArthur Boulevard. It appears to be wooden framed with brick walls on a concrete foundation.

The historical records show that businesses known to use hazardous materials (i.e. auto repair, manufacturing and machine shop facilities) have been located on the Subject Property. Thus, the possibility exists that undocumented releases of hazardous materials have occurred.

The City retained SGI to conduct post-ESA physical testing in order to determine the presence of historic use-related environmental impact.

Physical Testing

Three individual episodes of targeted physical testing were completed in 2010 following and based on the Phase I ESA. During the first, SGI collected grab soil and groundwater samples from areas of prior operations for the purposes of evaluating general environmental conditions. Results showed the presence of the halogenated solvent TCE, a substance commonly utilized in the auto service and manufacturing business, in site soil and groundwater.

A second phase of testing was conducted for the purposes of evaluating the potential source of contamination. Results of analysis showed the presence of higher concentrations of TCE in soil and groundwater samples collected next to a floor drain and distressed concrete flooring.

A final phase of testing was conducted to assess groundwater quality in areas not previously explored and to calculate the local direction of groundwater movement.

Chlorinated solvents were measured in groundwater at concentrations up to 440 parts per billion (ppb). The sample point showing the highest concentration of TCE is boring

SB-4, which was advanced immediately adjacent to a floor drain and distressed concrete.

It is plausible to interpret the data as indicating a common source of TCE contamination for the impact measured in the respective sampling points. The in-building drain adjacent to SB-4 is clearly a source area. Under the single common source interpretation, groundwater impact is greatest near the SB-4 drain and extends beneath most of the rest of the building footprint in concentrations declining with distance from the source area.

1.4 Project Goal

The Project property is zoned mixed use (commercial/residential). While the redevelopment is still in the preliminary stages, the acquisition was made using housing funds, ensuring the majority of the property will be programmed for affordable housing. A storefront commercial component may be incorporated for the frontage along San Pablo Avenue.

2.0 Applicable Regulations and Cleanup Standards

2.1 Cleanup Oversight Responsibility

In Emeryville, these regulations are implemented by one of three agencies – the Department of Toxic Substances Control (DTSC), the Regional Water Quality Control Board – San Francisco Bay Region (RWQCB), or the Alameda County Department of Environmental Health (ACEH). The City of Emeryville has a memorandum of understanding with these agencies that permits the City, through an outside Environmental Manager, to be self-directed on a task by task basis. Ultimate regulatory authority and approval of decisions by the Environmental Manager, is retained by the respective agencies. Depending on the nature of the case and the contaminants of concern, either the DTSC or the RWQCB is the ultimate overseeing agency. The ACEH is involved in Brownfield cleanup projects in Emeryville to a less substantial degree.

2.2 Cleanup Standards for Major Contaminants

Cleanup endpoints vary in California and are typically based either on site-specific risk assessments or regulatory guidance documents such as the Environmental Screening Levels (ESL) developed by the RWQCB or the California Human Health Screening Levels (CHHSL) developed by the DTSC. For groundwater where it is relied upon for a drinking water resource, Maximum Contaminant Levels (both California and EPA) may be used as a regulated cleanup endpoint. The City promulgated a well ordinance prohibiting the use of City groundwater for consumption. MCLs are therefore relied upon less frequently for City Brownfield projects.

ESLs and CHHSLs will both be used as guidance or cleanup endpoints for site remediation.

2.3 Laws and Regulations Applicable to the Cleanup

The investigation and remediation of hazardous substances and petroleum in California are governed primarily by regulations promulgated under the California Water Code and the Health and Safety Code. Other laws and regulations applicable to this cleanup include the Federal Small Business Liability Relief and Brownfields Revitalization Act and the Federal Davis-Bacon Act. As with all Emeryville projects that receive Federal funding, Federal, state and local laws regarding procurement of contractors, equal opportunity and the participation of small, woman and minority-owned businesses will be followed.

3.0 Evaluation of Brownfield Cleanup Alternatives

3.1 Cleanup Action Objectives

The results of testing have confirmed the presence of a solvent source in the vicinity of the SB-4 interior drain. The soil column beneath this drain contains TCE, as does the groundwater at and emanating from this source area. The primary threat posed by the unabated contaminant is to construction workers (contact with contaminated soil during construction) and to future site occupants (vapor intrusion/inhalation risk).

The contaminants are also a proven threat to groundwater quality, though Emeryville's well ordinance to a degree protects against this exposure pathway. The ordinance, however, is not a comprehensive regulatory cure. It is anticipated that a degree of source removal and groundwater cleanup will be required by the regulatory agencies.

3.2 Identification and Evaluation of Cleanup Alternatives

Four potentially feasible cleanup alternatives were identified based on Emeryville's experience with similar sites. These alternatives include:

1. No action.
2. Construction of an impermeable barrier.
3. Excavation and disposal.
4. In-situ treatment.

Evaluation criteria include effectiveness, implementability, and cost. The evaluation for effectiveness considers the appropriateness of the alternative with respect to long- and short-term satisfaction of cleanup goals and comprehensiveness in terms of protection to human and environmental health/safety. Implementability addresses the technical and administrative feasibility of the remedial alternative. Cost evaluates the short- and long-term costs associated with remedy implementation.

Star Intersection Affordable Housing Project
ABCA – October 24, 2011

Alternative 1 – No Action

Under the no action alternative, impacted media would remain in place without treatment.

Effectiveness – This alternative would not lower concentrations of contaminants known to pose a risk to future site occupants and construction workers. For this reason, the no-action alternative would not be effective with respect to the protection of human health.

Implementability – This alternative is easily implemented.

Cost – No costs would be incurred during the implementation of this alternative.

Alternative 2 – Construction of an impermeable barrier

This action would entail the incorporation of an impermeable barrier, likely a membrane-based technology, into the foundation of the residential structure. Impermeable vapor membranes are commonly utilized at Brownfield redevelopment sites where contaminant removal is impossible or prohibitively expensive. These constructed barriers prevent volatile organic compounds, such as the chlorinated solvents present at the Project, from infiltrating the occupied spaces of constructed structures. The membranes do nothing to remove or reduce the concentration of contaminants in the subsurface.

Effectiveness – This alternative is protective in terms of the protection of human health and safety of site residents. It is not protective to construction workers, and any work in and around the contaminated area during site construction would have to be closely monitored. Protective measures would likely be required for certain workers. The vapor barrier should not be considered protective for future redeveloped uses. Any future redevelopment of all or part of the Project property would likely have to be accompanied by contaminant source removal, effectively requiring an investment in protective measures be made twice. The presence of the unremediated contaminant would be noticed by way of a deed restriction or protective covenant.

Implementability – The vapor barrier is readily implemented using commonly available technology.

Cost – Based on experience with similar projects and vendor estimates, costs for the construction of a vapor barrier would be on the order of \$4 per square foot of structure. Assuming the Project building will have a footprint of 25,000 square feet; costs for emplacement are estimated at \$100,000. Based on experiences with similar projects, costs associated with barrier design and the regulatory review and approval process for a project of this size and complexity are estimated to be \$75,000. Vapor barriers also

require maintenance and monitoring for assurance of integrity and enduring protection. Monitoring frequency is greatest in the 2-3 years following construction, generally being scaled back to annually thereafter. Using a 10-year monitoring period as a general guide, costs for monitoring would total \$100,000.

Total cost for a protective solution utilizing a vapor barrier would be approximately \$275,000. Costs for subsequent removal are not included (refer to following alternatives for an approximation of this ultimate additional expense).

Alternative 3 – Excavation and disposal

This alternative would involve the physical removal of contaminated soil to several feet below the surface of the underlying water table. This removal action would target VOC-containing sediments in the source area (the drain), the soil column beneath the source area, and the wetted sediments at and below the unconfined water table. Groundwater that collects in the excavation would be removed by vacuum truck. Both the extracted groundwater and the excavated soil would be transported off-site for disposal at an appropriately licensed treatment/disposal facility. The excavation would be backfilled and compacted with clean material suited for the construction project to follow.

Effectiveness – Excavation will completely remove VOC-impacted sediments from the shallow subsurface, eliminating the threat from dermal contact (primarily to construction workers) and vapor intrusion. Some concentration of VOCs may remain in groundwater following excavation and dewatering, but it is anticipated the concentration will be sufficiently low so as to not pose any residual risk. As Emeryville has prohibited the construction of water supply wells, and as the contamination at the Project property is restricted on-site, low levels of residual groundwater contamination (that will attenuate over time) is an acceptable remedial endpoint.

Implementability – The current site structures will be demolished in early 2012 in preparation for redevelopment and to eliminate an attractive nuisance. With the structures removed the area around the former drain will be easily accessed. The Project property is sufficiently large for soil stockpiling and staging; access to streets and freeways is easy with no component through a residential neighborhood. This alternative is easily implemented.

Cost – Based on experience with similar projects, it is estimated that costs for planning, permitting and pre-excavation waste profiling will total \$25,000. Excavation and disposal of 500 tons of soil (for the purposes of this estimate soil is assumed to be suitable for Class II disposal) is estimated to be \$100,000, including consultant oversight, site security, dust control and traffic control. Excavation dewatering and off-site treatment/disposal is estimated to be \$25,000. Backfilling and compaction is estimated to total \$20,000. A year of post-excavation groundwater monitoring is expected to be

required, and will cost \$50,000. The total approximated cost for the excavation and disposal alternative is \$220,000.

Alternative 4 – Extraction and treatment

The extraction and treatment alternative involves the removal of the VOC mass from the sediment column by vapor extraction and the removal of the mass/lowering of the water table by pumping. Given the fine-grained nature of the sediments beneath the Project site, it is anticipated that a high-vacuum dual-phase vacuum approach would be utilized, likely with a liquid ring pump and water knockout for entrained vapor. This induced vacuum would lower the water table, exposing previously water-saturated sediments and enabling the recovery of contaminants in the vapor phase. Extracted water and vapor would be treated by activated carbon. Treated water would be discharged to the sanitary or storm sewer; treated air would be vented to the atmosphere.

Effectiveness – Dual-phase extraction and treatment has been demonstrated as an effective remedy at similar projects. Properly constructed and monitored, a dual-phase system is capable of removing a large percentage of the residual VOC contaminant mass in soil and groundwater, resulting in a property remediated to a standard compatible with unrestricted reuse.

Implementability – Using dual-phase extraction equipment, soil vapor and groundwater are extracted from the subsurface by way of constructed wells. The wells are typically 2-inch diameter PVC and are completed either above grade or at grade in manhole boxes. Based on the nature and extent of the contaminant mass at the Project site, it is anticipated that five 20-foot deep extraction wells would be required.

As all site structures will be demolished prior to the commencement of remedial action and as the site will be secured by fencing, free access will be available to install wells in optimal locations and stage extraction equipment and carbon treatment vessels. This alternative, therefore, is easily implemented.

Cost – This alternative can be implemented using readily available personnel and equipment. Based on experience with similar projects, costs for planning, permitting and regulatory review would be approximately \$20,000. The five extraction wells and above-ground piping from the wells to the treatment compound would cost an additional \$40,000 (including decommissioning). It is anticipated that the extraction event would be six months in duration, followed by a period of equilibration and a final, shorter (three months) duration additional extraction episode. Treatment equipment would be leased, and would cost approximately \$75,000. Carbon vessels and two carbon change-outs would cost approximately \$50,000. Labor for system operation and maintenance would cost \$40,000. A one-year period of confirmation monitoring would cost \$40,000. The total estimated cost for extraction and treatment is \$265,000.

3.2 Comparison of Alternatives

The no action alternative would meet none of the protective criteria for this project and is therefore dismissed without additional evaluation. Of the three remaining alternatives, all are protective in the short term. Alternative 2 is not protective for the extended term, and additional remediation would likely be required at some point in the future to ensure the complete protection of user/construction worker health and safety. As the site is accessible and complete contaminant removal possible for the expenditure of a comparable sum, it is clear that Alternative 2 is not the most practical remedial alternative for this Project.

Alternatives 3 and 4 are comparable in that they both are completely protective. Costs for Alternative 4 are higher than for Alternative 3, but not inordinately so. The accuracy of estimation, however, is much greater for Alternative 3 than Alternative 4. As the dimensions of the excavated area can be calculated using existing data, the costs associated with excavation, transportation and disposal are estimated with relative certainty. The costs for Alternative 4, however, are less reliably calculated. Even with the collection of performance (pilot) data, the operational duration of the extraction and treatment cannot be accurately determined until the system is constructed and turned on. The duration estimated (six months followed by three months) is reasonable, though it is not unreasonable for operational periods to double what was conceptually estimated.

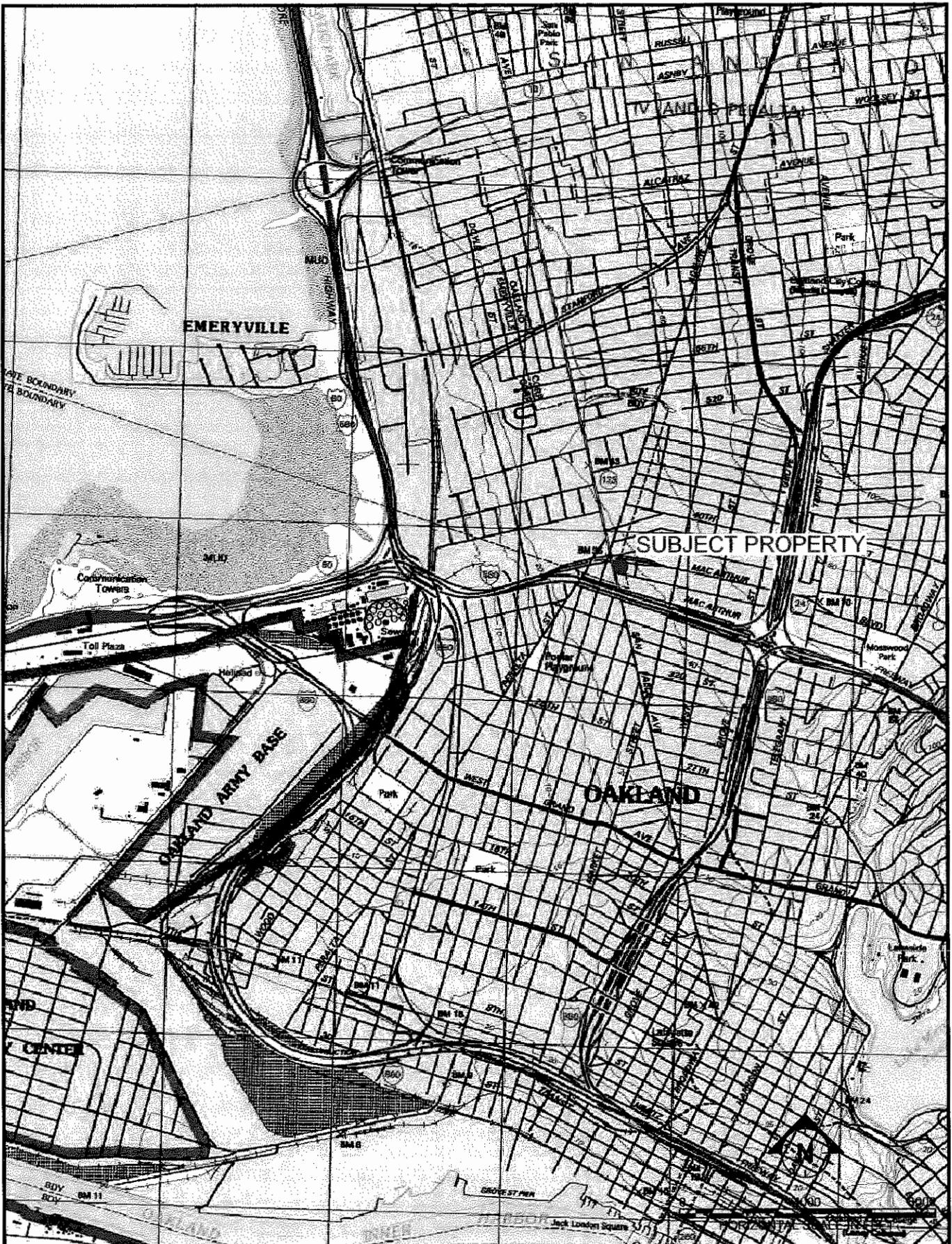
Extraction and treatment remedial methodologies are typically deployed in circumstances where structures or other business/residential operational constraints make a more direct form of contaminant removal (such as excavation) difficult or impossible. Extractive technologies, for instance, can remove contaminants from beneath a building; excavation cannot. In the case of the subject site, there will be no such structural constraints to excavation as the buildings will be demolished before the cleanup begins. Further, the contaminant mass is located in the shallow subsurface and is easily removed by excavation. Given these physical circumstances and the analysis of the conceptual cost breakdown, remediation by physical removal (excavation and disposal) is clearly the most expedient and cost-appropriate alternative.

3.3 Recommended Cleanup Alternative

Based on the analysis of effectiveness, implementability and cost, Alternative 3, Excavation and Disposal, is the most suitable cleanup alternative for the Project site.

This alternative provides complete contaminant removal, as opposed to the shorter term solution provided by Alternative 2 and the complete lack of protection associated with Alternative 1. Costs associated with excavation and disposal can be predicted with greater certainty than the costs associated with Alternative 4. Alternative 3 is additionally initially more cost-effective than alternative 4.

This concludes the Analysis of Brownfield Cleanup Alternatives for the Star Intersection Affordable Housing Project.



SGI environmental
THE SOURCE GROUP, Inc.
 3451-C VINCENT ROAD
 PLEASANT HILL, CA 94523

EMERYVILLE REDEVELOPMENT
 PROJECT AREA
 EMERYVILLE, CALIFORNIA

**SUBJECT PROPERTY
 LOCATION**

**FIGURE
 1**

PROJECT NO.	DATE	DR. BY:	APP. BY:
01-COE-001	11/11/09	JP	AZ

Attachment 3
Documentation of Committed Leveraged
Resources

Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up

SPI
 DATE: 07/08/2011
 TIME: 18:42:16

CITY OF EMERYVILLE
 PROJECT STATUS

PAGE NUMBER: 41
 PROSTA21

SELECTION CRITERIA: (((project.proj1 = "ECON DEV")) AND (project.stop_date IS NULL))
 ACCOUNTING PERIOD: 13/11

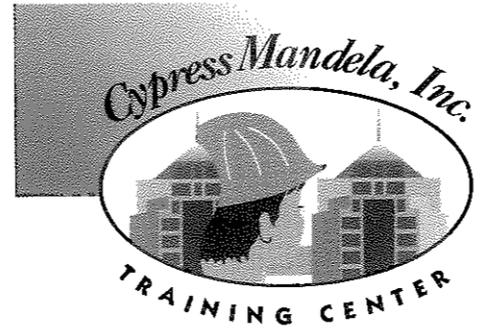
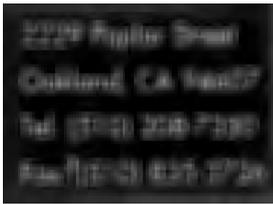
SORTED BY: TASKS,PROJECT,1ST SUBTOTAL,ACCOUNT
 TOTALED ON: TASKS,PROJECT,1ST SUBTOTAL
 PAGE BREAKS ON: PROJECT

TASKS-ECON DEV ECONOMIC DEVE PROJECTS
 PROJECT-11468003 3706 SAN PABLO AVENUE
 1ST SUBTOTAL-62 OTHER REVENUE

ACCOUNT	TITLE	BUDGET	PERIOD RECEIPTS PERIOD EXPENSES	RECEIVABLES ENCUMBRANCES	YEAR TO DATE REVENUE/EXPENDITURE	BALANCE	YTD/ BUD
63260	FD 482-LOW/MOD HSG CAP F	670,000.00	670,000.00	.00	670,000.00	.00	100.00
63630	2004A FD 468 HSG T/E BON	1,700,000.00	.00	.00	1,700,000.00	.00	100.00
	TOTAL OTHER REVENUE	2,370,000.00	670,000.00	.00	2,370,000.00	.00	100.00
80050	PROFESSIONAL SERVICES	.00	.00	10,793.57	39,486.88	-50,280.45	.00
80400	PLANNING SURVEY & DESIGN	.00	.00	8,000.00	.00	-8,000.00	.00
	TOTAL PROFESSIONAL FEES/SVCES	.00	.00	18,793.57	39,486.88	-58,280.45	.00
84150	TRAVEL, CONFER & MEETING	.00	.00	.00	41.64	-41.64	.00
	TOTAL EDUCATION AND TRAINING	.00	.00	.00	41.64	-41.64	.00
90800	PROPERTY ACQUISITION	1,700,000.00	.00	.00	1,507,942.94	192,057.06	88.70
90900	ACQUISITION COST	670,000.00	537,126.76	.00	553,626.76	116,373.24	82.63
	TOTAL CAPITAL	2,370,000.00	537,126.76	.00	2,061,569.70	308,430.30	86.99
	TOTAL 3706 SAN PABLO AVENUE	.00	132,873.24	-18,793.57	268,901.78	-250,108.21	.00

Attachment 4
Letters of Support from Community Based
Organizations

Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up



November 18, 2011

Laurie Amaro
Regional Brownfield Coordinator
EPA Region 9
75 Hawthorne Street SFD 9-1
San Francisco, CA 94105

Re: Emeryville Proposal for 2012 EPA Cleanup Grant for the Star Intersection Affordable Housing - 3706 San Pablo Avenue (EPA OSWER OBLR 11 07)

Dear Ms. Amaro:

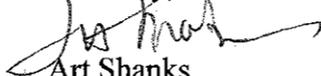
I am writing to support the City of Emeryville's application to the US EPA Grant for Brownfield remediation for the Star Intersection Affordable Housing at 3706 San Pablo Avenue and to outline an opportunity for collaboration between Cypress Mandela Training Center, Inc. a former EPA Brownfields Job Training Grant recipient, and the City of Emeryville.

With the funding provided by this grant, the City can address the special challenge posed to redevelopment by the environmentally-impaired property on San Pablo Avenue and integrate Cypress Mandela's training and alumni programs to increase the involvement of both Oakland and Emeryville's under employed residents. As Emeryville does not have a hire first program, we expect to explore the relationship through a Memorandum of Understanding (MOU). Through such an MOU the two cities, could collaborate on this or future awards, for which the Cypress Mandela Training Program has developed a skilled local workforce.

Emeryville, like Oakland, has a strong track record of successful Brownfield clean-up which can have implications throughout the San Pablo corridor. This site's adjacency to underserved neighborhoods in West and North Oakland is an ideal entry way for additional collaboration between the training center and Emeryville. With successful site remediation and redevelopment, the corridor can become a vibrant mixed use destination inclusive of higher density affordable housing supporting transit oriented sustainable uses. With Cypress Mandela's involvement it can have broader impact on the lives of those most impacted by the historic contamination and isolation of the residential areas mixed with industrial uses.

Please call me at 510-208-7355 if you have any questions.

Sincerely,


Art Shanks
Executive Director



EMERYVILLE CHAMBER OF COMMERCE

3980 Harlan Street • Emeryville, CA 94608
Phone: (510) 652-5223 • Fax: (510) 652-4223
E-mail: info@emeryvillechamber.com
Web Site: www.emeryvillechamber.com



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DEVELOPMENT CO.
OAKS CARD CLUB
PEET'S COFFEE & TEA
SPENGER'S FRESH FISH
GROTTO
TMG PARTNERS
WELLS FARGO



November 23, 2011

Ms. Laurie Amaro
Regional Brownfield Coordinator
U.S. EPA Region 9
75 Hawthorne Street, SFD 9-1
San Francisco, CA 94105

**Re: Emeryville Proposal for 2012 EPA Clean-up Grant
for the Start Intersection Affordable Housing - 3706
San Pablo Avenue (EPA OSWER OBLR 11 07)**

Dear Ms. Amaro:

The purpose of this letter is to express the strong support of the Emeryville Chamber of Commerce for the City of Emeryville's application to the US EPA Grant for Brownfield clean-up of the City's 1.1-acre in-fill, transit oriented, affordable housing development site at 3706 San Pablo Avenue.

The City of Emeryville has a long and very successful track record of brownfield assessment and clean-up projects that have resulted in economic growth and an impressive record of redeveloping unproductive and vacant sites. With the critical funding support provided by this grant, the City will take the first step in addressing the special challenges posed to redevelopment by this environmentally-impaired property.

Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, take on additional importance when these large, underutilized, Brownfield sites are located in the geographic heart of the City. Situated at Emeryville's southern entrance, near the Oakland border, the site is located in an area modeling transit-oriented development at appropriate densities to support transit and walkable communities. The site will be redeveloped as part of a larger Corridor Investment Strategy that will link the Transit Hub at 40th and San Pablo Avenue,

www.emeryvillechamber.com

Promoting the Healthy City for the 21st Century

retail on 40th and along San Pablo and community services with new housing opportunities and the attraction of families to the newly developing Emeryville Center for Community Life.

With carefully targeted investment, we can realize the successful redevelopment of these properties and remedy a blight that affects the economic growth and vitality of the City center. The redevelopment of this property as sustainable affordable family housing will knit together Emeryville's commercial core with surrounding neighborhoods, creating and growing value in the community.

For over 25 years, the Emeryville Chamber of Commerce has worked closely with our partners at the City of Emeryville to help transform our City into what is now a national model for urban redevelopment. Accordingly, we look forward to partnering with the City in taking the first step in transforming this contaminated site into a useable site available for affordable housing. Specifically, the Chamber expects to assist the City in its efforts to conduct community outreach to neighborhood, business and community stakeholders interested in the site's sustainable revitalization.

Thank you for considering our views on this important issue. Please feel free to contact me directly if you have any questions or would like further information on the Chamber's position on the grant application request.

Sincerely,

A handwritten signature in black ink that reads "Bob Canter". The signature is written in a cursive, flowing style.

Bob Canter, ACE
President & CEO

November 15, 2011

Laurie Amaro
Regional Brownfield Coordinator
EPA Region 9
75 Hawthorne Street SFD 9-1
San Francisco, CA 94105

Re: Emeryville Proposal for 2012 EPA Cleanup Grant for the Star Intersection
Family Affordable Housing Project (EPA OSWER OBLR 11 07)

Dear Ms. Amaro:

I am writing to support the City of Emeryville's application to the US EPA Grant for Brownfield remediation of the City's affordable housing development site at 3706 San Pablo Avenue. With critical outside funding support provided by this grant, we look forward to the City addressing the special challenge posed to redevelopment by environmentally-impaired property on San Pablo Avenue. Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, is especially significant when such sites are abandoned and underutilized. With targeted investment, we look forward to Emeryville realizing successful redevelopment of the small, fragmented, and economically marginal sites on this regional transit corridor.

Currently isolated by the presence of multiple freeway lanes, multi-lane roadways and freeway off ramps, the Site is in the process of being reintegrated with the nearby 40th and San Pablo Avenue Transit Hub through investment in pedestrian and bicycle enhancements including both a Safe Routes to School and Safe Routes to Transit grants dedicated to crossing enhancements. The Site is accessible from the Adeline and 40th Street bike routes where traffic calming has recently enhanced the streetscape.

The Site is well situated to benefit from civic investment. It is just three blocks from the City's only elementary school and five blocks from the City's only Secondary School (the future home of the Emeryville Center of Community Life, a community hub where schools, community services, arts and recreation programs will be integrated to serve the entire community). In addition, City Hall, a proposed Arts Center and commercial services including a drug store, Target, and grocery store are within minutes walking distance of the site.

The City has a strong track record of successful brownfield clean-up projects that have resulted in economic growth and development. The City just received notification that the previously remediated housing site at 36th and Adeline was awarded over \$10 million in Low Income tax Credit funding matched by \$13 million in local redevelopment expenditures, leveraging EPA investment by over \$100 per dollar invested.

Debra Lindo, Ed.D.
Superintendent

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SCHOOL SITES

Anna Yates Elementary School
Jaguanana Lathan, Principal
1070 41st Street
Emeryville, CA 94608

Emery Secondary School
Anakarita Allen, Principal
1100 47th Street
Emeryville, CA 94608



Emeryville's groundbreaking work can have implications throughout the San Pablo corridor. In a geographically central location, this site is adjacent to an underserved neighborhood and near the gateway to Oakland. The productive redevelopment of this parcel will contribute to needed economic development throughout this area. With successful site remediation and redevelopment, the corridor can become a vibrant mixed use destination inclusive of higher density affordable housing supporting transit oriented sustainable uses.

The Emery Unified School District supports this undertaking to help return a local underutilized property to productive use. Specifically, EUSD expects to assist the City in its efforts to conduct community outreach to our school families and other neighborhood, business and community stakeholders interested in the site's sustainable revitalization.

Given our commitment to the children and families of Emeryville, the Emery Unified School District looks forward to seeing this abandoned and contaminated site transformed to a cleared site available for affordable housing development.

Please contact me at (510) 601-4906 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra Lindo". The signature is fluid and cursive.

Debra Lindo, Ed.D.
Superintendent, Emery Unified School District



EBHO

EAST BAY HOUSING ORGANIZATIONS

November 15, 2011

Laurie Amaro
Regional Brownfield Coordinator
EPA Region 9
75 Hawthorne Street SFD 9-1
San Francisco, CA 94105

**Re: Emeryville Proposal for 2012 EPA Cleanup Grant for the Star Intersection
Family Affordable Housing Project (EPA OSWER OBLR 11 07)**

Dear Ms. Amaro:

I am writing to support the City of Emeryville's application to the US EPA Grant for Brownfield remediation of the City's affordable housing development site at 3706 San Pablo Avenue. With critical outside funding support provided by this grant, we look forward to the City addressing the special challenge posed to redevelopment by this environmentally-impaired property on San Pablo Avenue. Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, is especially significant when such sites are abandoned and underutilized. With targeted investment, we look forward to Emeryville realizing successful redevelopment of the small, fragmented, and economically marginal sites on this regional transit corridor.

Currently isolated by the presence of multiple freeway lanes, multi-lane roadways and freeway off ramps, the Site is in the process of being reintegrated with the nearby 40th and San Pablo Avenue Transit Hub through investment in pedestrian and bicycle enhancements including both a Safe Routes to School and Safe Routes to Transit grants dedicated to crossing enhancements. The Site is accessible from the Adeline and 40th Street bike routes where traffic calming has recently enhanced the streetscape.

The Site is well situated to benefit from civic investment. It is just three blocks from the City's only elementary school and five blocks from the City's only Secondary School (the future home of a Community Center for Life with health, wellness, and arts programs). City Hall, a proposed Arts Center and commercial services including a drug store, Target, and grocery store are within minutes walking distance of the site.

The City has a strong track record of successful brownfield clean-up projects that have resulted in economic growth and development. The City just received notification that the previously remediated housing site at 36th and Adeline was

awarded over \$10 million in Low Income tax Credit funding matched by \$13 million in local redevelopment expenditures, leveraging EPA investment by over \$100 per dollar invested.

Emeryville's groundbreaking work can have implications throughout the San Pablo corridor. In a geographically central location, this site is adjacent to an underserved neighborhood and near the gateway to Oakland. The productive redevelopment of this parcel will contribute to needed economic development throughout this area. With successful site remediation and redevelopment, the corridor can become a vibrant mixed use destination inclusive of higher density affordable housing supporting transit oriented sustainable uses.

East Bay Housing Organizations (EBHO), a non-profit affordable housing advocacy membership organization, is dedicated to preserving, protecting and expanding affordable housing opportunities in the East Bay through education, advocacy, and coalition building. EBHO works with the City to showcase exemplarily affordable housing developments in Emeryville at our Annual Affordable Housing Week events and in our Annual Affordable Housing Guidebook. In Emeryville many of these sites include locations such as the subject of this clean-up grant.

As a regional collaboration of affordable housing developers and Cities dedicated to the production of affordable housing, EBHO supports this undertaking to help return another local underutilized property to productive use. Specifically, we expect to partner with the City in this site's reuse by attracting the interest of potential affordable housing developers in this site. EBHO looks forward to seeing this derelict abandoned and contaminated site transformed to a cleared site available for affordable housing development.

Please call me at 510-663-3830 x323 or email me at amie@EBHO.org if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Amie Fishman". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Amie Fishman
Executive Director



EAST BAY ASIAN LOCAL DEVELOPMENT CORPORATION
BUILDING VIBRANT AND HEALTHY NEIGHBORHOODS

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Rosalyn Tonai

Joanne Tornatore-Pili

Executive Director
Jeremy Liu

November 1, 2011

Laurie Amaro
Regional Brownfield Coordinator
EPA Region 9
75 Hawthorne Street SFD 9-1
San Francisco, CA 94105

Re: Emeryville Proposal for 2012 EPA Cleanup Grant for the Star
Intersection Family Affordable Housing Project (EPA OSWER OBLR 11
07)

Dear Ms. Amaro:

I am writing to express my strong support for the City of Emeryville's application to the US EPA Grant for the Brownfield remediation of the City's affordable housing development site at 3706 San Pablo Avenue. We look forward to the City addressing the special challenge posed to redevelopment of an environmentally-impaired property on San Pablo Avenue. Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, is especially significant when such sites are abandoned and underutilized. With targeted investment, we look forward to Emeryville's continued and successful redevelopment of the small, fragmented, and economically marginal sites on this regional transit corridor.

Currently isolated by the presence of a freeway overpass, multi-lane roadways and freeway on and off ramps, the Site is in the process of being reintegrated with the nearby 40th and San Pablo Avenue Transit Hub through investment in pedestrian and bicycle enhancements including both a Safe Routes to School and Safe Routes to Transit grants dedicated to crossing enhancements. The Site is accessible from the Adeline and 40th Street bike routes where traffic calming has recently enhanced the streetscape.

The Site is well situated to benefit from civic investment. It is just three blocks from the City's only elementary school and five blocks from the City's only Secondary School (the future home of a Community Center for Life with health, wellness, and arts programs). City Hall, a proposed Arts Center and commercial services including a drug store, Target, and grocery store are

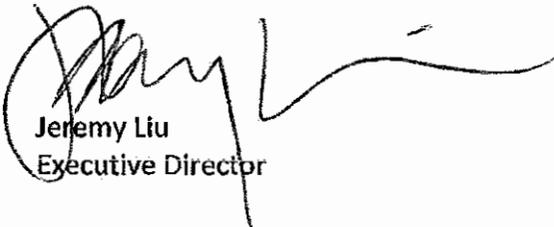
within minutes walking distance of the site.

As a 35 year old local community development corporation, East Bay Asian Local Development Corporation has worked with the City of Emeryville to bring affordable housing mixed-use developments to brownfield sites. Together we rehabilitated and rebuilt the former Ritz Hotel, a single room occupancy hotel and the Sands Building, a former card room into the Avalon, a senior housing development with ground floor retail that anchors the growth of San Pablo Avenue at 40th Street. We are continuing the economic and sustainable development of the corridor in partnership with the City of Emeryville and the City of Oakland with investment in the California Hotel on 35th and San Pablo Avenue among other projects along this corridor.

Emeryville's groundbreaking work will have positive impacts throughout the San Pablo corridor. In a geographically central location, this site is adjacent to an underserved neighborhood and near the gateway to Oakland. The productive redevelopment of this parcel will contribute to needed economic development throughout this area. With successful site remediation and redevelopment, the corridor can become a vibrant mixed use destination inclusive of higher density affordable family housing supporting transit oriented sustainable uses.

Thank you for your work and the investment by the City of Emeryville in Brownfield property revitalization. Without your recognition of the special challenges posed to redevelopment by environmentally-impaired properties, many sites around the City would still be abandoned or underutilized.

Most sincerely,



Jeremy Liu
Executive Director



CITY HALL · ONE FRANK H. OGAWA PLAZA · OAKLAND, CALIFORNIA 94612

JANE BRUNNER
Councilmember
District 1

(510) 238-7001
FAX (510) 238-6910
TTD (510) 238-7413

November 15, 2011

Laurie Amaro
Regional Brownfield Coordinator, EPA Region 9
75 Hawthorne Street, SFD 9-1
San Francisco, CA 94105

Re: Emeryville Proposal for 2012 EPA Cleanup Grant for the Star Intersection Family Affordable Housing Project (EPA OSWER OBLR 11 07)

Dear Ms. Amaro:

I am writing to support the City of Emeryville's application to the US EPA Grant for Brownfield remediation of the affordable family-housing development site at 3706 San Pablo Avenue. With the critical outside funding support provided by this grant, we look forward to Emeryville addressing the special challenge posed to redevelopment by this environmentally-impaired property.

As the affordable housing site is in both jurisdictions and the contaminated part of the site is so close to the Oakland border, it is of special interest to the City of Oakland, especially given the proximity of this project to the California Hotel, an Oakland affordable housing site on San Pablo Avenue within two blocks of this project.

Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, is especially significant when such sites are blighted and vacant, causing depressed property values in the adjacent Oakland single-family home neighborhood that has been severely affected by the foreclosure crisis.

With targeted investment, we look forward to realizing successful redevelopment of the small, fragmented, and economically marginal sites on the San Pablo Avenue regional transit corridor.

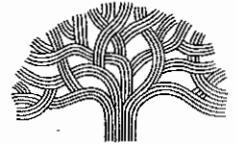
Oakland looks forward to seeing this blighted, vacant site transformed to a cleared site designated for affordable housing development. Please call me at 510-238-7001 or email me at jbrunner@oaklandnet.com if you have any questions.

Sincerely,



Jane Brunner
Oakland City Council, District 1

CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Community and Economic Development Agency
Redevelopment Division

(510) 238-3015
FAX (510) 238-3691
TDD (510) 238-3254

November 17, 2011

Laurie Amaro
Regional Brownfield Coordinator
EPA Region 9
75 Hawthorne Street, SFD 9-1
San Francisco, CA 94105

Re: Emeryville Proposal for 2012 EPA Cleanup Grant for the Star Intersection Family Affordable Housing Project (EPA OSWER OBLR 11 07)

Dear Ms. Amaro:

I am writing in behalf of the City of Oakland to support the City of Emeryville's application to the US EPA Grant for Brownfield remediation of the affordable family-housing development site at 3706 San Pablo Avenue. With critical outside funding support provided by this grant, we look forward to Emeryville addressing the special challenge posed to redevelopment by the environmentally-impaired property at the Star Intersection on San Pablo Avenue at Adeline and MacArthur. As the affordable housing site is in both jurisdictions and the contaminated part of the site is so close to the Oakland border, it is of special interest to the City of Oakland, especially given the proximity of this project to the California Hotel, an Oakland affordable housing site on San Pablo Avenue within two blocks of this project.

Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, is especially significant when such sites are blighted and vacant, causing depressed property values in the adjacent Oakland single-family home neighborhood that has been severely affected by the foreclosure crisis.

Since 1998, the City of Oakland has collaborated with Emeryville and included the Oakland/Emeryville San Pablo Corridor in the Oakland Enterprise Zone Program. The Enterprise Zone Program was developed to stimulate private investment and promote job creation and this project helps realize these goals. With targeted investment, we look forward to realizing successful redevelopment of the small, fragmented, and economically marginal sites on the San Pablo Avenue regional transit corridor.

November 17, 2011

Laurie Amaro

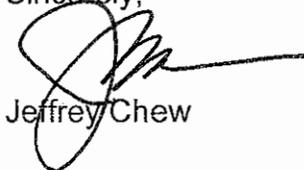
Page 2

Oakland residents are enrolled in the Emeryville School District, making up as much as 40% of the Emeryville district's enrollment, with enrollment from Oakland possibly increasing as the Oakland school district will be closing a nearby school due to budget constraints. The Site is also accessible from Oakland along the Adeline and 40th Street bike routes where traffic calming has recently enhanced the streetscape.

The productive redevelopment of this parcel will contribute the needed economic development throughout this area. With successful site remediation and redevelopment, the corridor can become a vibrant mixed-use destination inclusive of higher density affordable housing supporting transit-oriented sustainable uses.

Oakland looks forward to seeing this blighted, vacant site transformed to a cleared site designated for affordable housing development. Please call me at (510) 238-3629 or email me at jbchew@oaklandnet.com if you have any questions.

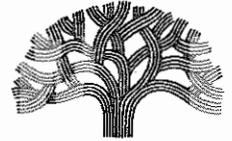
Sincerely,



Jeffrey Chew

Jeffrey Chew
West Oakland Area Redevelopment Manager
Oakland Redevelopment Agency
250 Frank Ogawa Plaza Suite 5313
Oakland, CA 94612-2034

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA • SUITE 5313 • OAKLAND, CALIFORNIA 94612-2034

Community and Economic Development Agency
Housing and Community Development Division

(510) 238-3501
FAX (510) 238-3691
TDD (510) 839-6451

November 15, 2011

Laurie Amaro
Regional Brownfield Coordinator
EPA Region 9
75 Hawthorne Street, SFD 9-1
San Francisco, CA 94105

**Re: Emeryville Proposal for 2012 EPA Cleanup Grant for the Star Intersection
Family Affordable Housing Project (EPA OSWER OBLR 11 07)**

Dear Ms. Amaro:

I am writing to support the City of Emeryville's application to the US EPA Grant for Brownfield remediation of the affordable family-housing development site at 3706 San Pablo Avenue. With critical outside funding support provided by this grant, we look forward to Emeryville addressing the special challenge posed to redevelopment by the environmentally-impaired property at the Star Intersection on San Pablo Avenue at Adeline and MacArthur. As the affordable housing site is in both jurisdictions and the contaminated part of the site is so close to the Oakland border, it is of special interest to the City of Oakland, especially given the proximity of this project to the California Hotel, an Oakland affordable housing site on San Pablo Avenue within two blocks of this project.

Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, is especially significant when such sites are blighted and vacant, causing depressed property values in the adjacent Oakland single-family home neighborhood that has been severely affected by the foreclosure crisis.

Since 1998, the City of Oakland has collaborated with Emeryville and included the Oakland/Emeryville San Pablo Corridor in the Oakland Enterprise Zone Program. The Enterprise Zone Program was developed to stimulate private investment and promote job creation and this project helps realize these goals. With targeted investment, we look forward to realizing successful redevelopment of the small, fragmented, and economically marginal sites on the San Pablo Avenue regional transit corridor.

November 15, 2011

Laurie Amaro

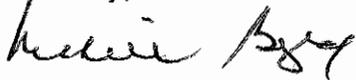
Page 2

Oakland residents are enrolled in the Emeryville School District, making up as much as 40% of the Emeryville district's enrollment, with enrollment from Oakland possibly increasing as the Oakland school district will be closing a nearby school due to budget constraints. The Site is also accessible from Oakland along the Adeline and 40th Street bike routes where traffic calming has recently enhanced the streetscape.

The productive redevelopment of this parcel will contribute the needed economic development throughout this area. With successful site remediation and redevelopment, the corridor can become a vibrant mixed-use destination inclusive of higher density affordable housing supporting transit-oriented sustainable uses.

Oakland looks forward to seeing this blighted, vacant site transformed to a cleared site designated for affordable housing development. Please call me at 510-238-3714 or email me at mbyrd@oaklandnet.com if you have any questions.

Sincerely,



Michele Byrd, Deputy Director
Housing and Community Development



EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

November 18, 2011

Laurie Amaro
Regional Brownfield Coordinator
EPA Region 9
75 Hawthorne Street SFD 9-1
San Francisco, CA 94105

**Subject: Emeryville Proposal for 2012 EPA Cleanup Grant for the 3706 San Pablo Avenue
(EPA OSWER OBLR 11 07)**

Dear Ms. Amaro:

The Emeryville Transportation Management Association (ETMA) is the managing agency of Emery Go-Round, a free shuttle service providing a transit link for employees, shoppers and residents from various locations throughout the City of Emeryville to the MacArthur BART Station. Emery Go-Round services 1.3 million riders annually and is funded solely by commercial property owners in the citywide transportation business improvement district.

I am writing to support the City of Emeryville's application to the US EPA Grant for Brownfield remediation of the City's affordable housing development site at 3706 San Pablo Avenue. With critical outside funding support provided by this grant, we look forward to the City addressing the special challenge posed to redevelopment by environmentally-impaired property on San Pablo Avenue. Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, is especially significant when such sites are abandoned and underutilized. With targeted investment, we look forward to Emeryville realizing successful redevelopment of the small, fragmented, and economically marginal sites on this regional transit corridor.

Currently isolated by the presence of multiple freeway lanes, multi-lane roadways and freeway off ramps, the Site is in the process of being reintegrated with the nearby 40th and San Pablo Avenue Transit Hub through investment in pedestrian and bicycle enhancements including both a Safe Routes to School and Safe Routes to Transit grants dedicated to crossing enhancements. The Site is accessible from the Adeline and 40th Street bike routes where traffic calming has recently enhanced the streetscape.

Redevelopment of contaminated sites, such as 3706 San Pablo Avenue, are especially important when they limit potential for transit oriented development such as possible at the 40th Street San Pablo Bus Hub. Situated at Emeryville's Gateway from Oakland the site is located on a key

transfer point to reach MacArthur BART (the nearest regional rail serving Emeryville residents). The site will be redeveloped as part of a larger 1.1-acre assemblage for affordable family housing. It is located within easy walking distance from retail shops and neighborhood services including schools, grocery, pharmacy and general merchandise.

With targeted investment, we can realize the successful redevelopment of these properties and remedy a blight that affects the economic growth and vitality of the City center. The redevelopment of this property as sustainable affordable family housing will knit together.

Emeryville's commercial core with surrounding neighborhoods, creating and growing value in the community.

The ETMA supports the City's efforts in transforming this centrally located contaminated site into a clean site available for affordable housing development. The ETMA provides transit services to high density, in-fill Transit Oriented Development (TOD) projects and as such, will be an important stakeholder in the site's sustainable revitalization.

If you have any questions, please contact me at (925) 321-9753 or via email at peter@gray-bowen.com.

Sincerely,



Peter Oswald
Executive Director



**Attachment 5
Community Notification**

**Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up**

Oakland Tribune

c/o Bay Area News Group-East Bay
7677 Oakport St., #950
Oakland, CA 94621
Legal Advertising
(800) 595-9595 opt. 4

EMERYVILLE, CITY OF
ECONOMIC DEVELOPMENT & HOUSING
DEPARTMENT, LINDA JOSLIN, 1333 PARK
Emeryville CA 94608

PROOF OF PUBLICATION

In the matter of

Oakland Tribune

The Oakland Tribune

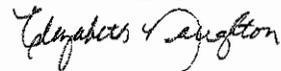
I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California." Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

10/29/2011

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



Public Notice Advertising Clerk

Legal No.

0004213932

Public Meeting & Comment Period for Remediation Proposal

EPA Brownfield Cleanup Grant Application and Analysis of Alternative Brownfield Cleanup Alternatives (ABCA) for Star Intersection Affordable Housing at 3706 San Pablo Ave.
Thursday November 3
5:30 - 6:30 pm Garden Room, City Hall, 1333 Park Avenue, Emeryville

Public input from this meeting and written comments received by Mon., Nov. 14th will inform the development of the ABCA for 3706 San Pablo Ave. and the 2012 EPA Grant Application for the site by the City of Emeryville.

The ABCA & Grant Proposal can be found via link at <http://www.emeryville.org/index.aspx?NID=907>

Written comments should be submitted to aevans@emeryville.org or Amber Evans, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608. ABCA/Grant hard copies are available from Ms. Evans as above or at 510-596-4382
OT #4213932
Oct. 29, 2011

ABCA Comments and City Response
Star Intersection Affordable Housing 3706 San Pablo Avenue

No comments were received requesting changes to the Draft ABCA for Star Intersection Affordable Housing 3706 San Pablo Avenue, October 24, 2011. However at the following community questions were recorded here. The responses were shared at the Public Meeting November 3, 2011.

Comment 1: Please explain if any historic feature of the building(s) will needed to be preserved? How may this affect development of the site?

City Response: The building has no historic merit and need not be preserved. The Maz building to the north is also slated for affordable housing development and has merit. There may exist confusion between the two sites. The city is currently commissioning site demolition due to safety issues present at the site. To receive a permit to demolish a site with a building permit the City Council approval was needed. This was done and demolition was put out to bid and is expected to commence in February 2012.

Comment 2: Will the grant address the lead and asbestos contained in the building?

City Response: All building structures will be removed and lead and asbestos in the buildings will be removed, contained and disposed of separate from the EPA grant proposal.

November 4, 2011

AGENDA

EMERYVILLE CITY COUNCIL REGULAR MEETING

1333 Park Avenue
Emeryville, CA 94608
(510) 596-4300

TUESDAY, NOVEMBER 1, 2011 - 7:15 P.M.

A COMPLETE COPY OF THE AGENDA PACKET IS AVAILABLE FOR PUBLIC VIEWING IN THE CITY CLERK'S OFFICE AT 1333 PARK AVENUE, AND THE GOLDEN GATE BRANCH OF THE OAKLAND PUBLIC LIBRARY, 5433 SAN PABLO AVENUE. ADDITIONAL PUBLIC VIEWING & REPRODUCTION AT: (1) PERMA COPY, 2000 POWELL STREET, SUITE 120, AND (2) ACCESS PRINT, 1306-65th STREET, FROM THE FRIDAY BEFORE THE COUNCIL MEETING. ALL WRITINGS THAT ARE PUBLIC RECORDS AND RELATE TO AN AGENDA ITEM BELOW WHICH ARE DISTRIBUTED TO A MAJORITY OF THE LEGISLATIVE BODY LESS THAN 72 HOURS PRIOR TO THE MEETING NOTICED ABOVE WILL BE MADE AVAILABLE AT THE INFORMATION COUNTER AT CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CALIFORNIA DURING NORMAL BUSINESS HOURS (9AM TO 5PM., MONDAY THROUGH FRIDAY, EXCLUDING LEGAL HOLIDAYS). THE MEETING IS SHOWN LIVE ON THE CITY OF EMERYVILLE TELEVISION CHANNEL (ETV), CABLE CHANNEL 27, AND WILL BE REBROADCAST AS PART OF THE REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS ACCORDING TO THE PUBLISHED ETV SCHEDULE OF PROGRAMS. THESE MEETINGS WILL ALSO BE AVAILABLE THROUGH LIVE MEDIA STREAMING ACCESSIBLE FROM THE CITY OF EMERYVILLE WEBSITE AT [HTTP://WWW.EMERYVILLE.ORG](http://www.emeryville.org).

You can request to receive free copies of the Emeryville City Council and Redevelopment Agency Agendas in digital format for the current calendar year by going to our website at <http://www.emeryville.org> and clicking on "Notify Me". Simply fill out your information, check "City Council Agendas", and click the "Subscribe" button. By doing so, you will automatically receive our Council agendas for the year via email.

All matters listed under CONSENT CALENDAR are considered to be routine and will all be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to adopt. Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Presiding Officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the Hearing is closed and brought back to Council level for discussion and action. There is no further comment permitted from the audience unless requested by the Council.

The speaker's time is limited to 3 minutes and can only be extended upon approval of the Presiding Officer. Any person who desires to address the City Council on any item listed on the Agenda under the Consent Calendar, or on a matter not on the Agenda which item is within the subject matter jurisdiction of the City Council, may do so during that portion of the Agenda called Public Comment.

In compliance with the Americans with Disabilities Act, a person requiring an accommodation, auxiliary aid, or service to participate in this meeting should contact the City Clerk's Office at

(510) 450-7800, or ADA Coordinator, as far in advance as possible but no later than 72 hours before the scheduled event. The best effort to fulfill the request will be made. Assistive listening devices are available for anyone with hearing difficulty from the City Clerk prior to the meeting, and must be returned to the City Clerk at the end of the meeting.

No dogs, cats, birds or any other animal or fowl shall be allowed at or brought in to a public meeting by any person except (i) as to members of the public or City staff utilizing the assistance of a service animal, which is defined as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability, or (ii) as to police officers utilizing the assistance of a dog(s) in law enforcement duties.

CLOSED SESSION: The Mayor may convene the City Council in Closed Session at the close of the meeting to consider matters of pending or threatened litigation, personnel matters, real property negotiations, or labor negotiations, pursuant to Government Code Sections 54956.9, 54957, 54956.8, or 54957.6.

I. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

II. SPECIAL ORDERS OF THE DAY

III. PUBLIC COMMENTS

IV. CITY MANAGER'S REPORT

V. CONSENT CALENDAR

A. Warrants: (Delores Turner/Karan Reid)

[Click here for Item V.A warrants.](#)

1. Wire Transfer and Debit Authorization for the Second Half of October 2011 in the Amount of \$287,668.58.
2. Warrants Register Dated October 25, 2011, in the Amount of \$1,354,912.68.

B. Action Minutes, October 18, 2011 Special City Council/Community Development Commission Closed Session. (Karen Hemphill)

[Click here for Item V.B action minutes.](#)

C. Action Minutes, October 18, 2011 Regular City Council Meeting. (Karen Hemphill)

[Click here for Item V.C action minutes.](#)

D. Resolution of the City Council of the City of Emeryville Appropriating Twenty Thousand, Three Hundred and Seventy-Seven Dollars

(\$20,377) From the General Fund Capital Fund (Fund 475) to the Emery Go-Round Bus Yard Project (CIP #12475005). (Karen Hemphill)

[Click here for Item V.D staff report.](#)

- E. Authorization for Mayor to Send Letters to Federal Legislators Regarding Support for Federal Jobs Legislation Including Funding for Infrastructure, Education and Public Safety. (Mayor Davis)

[There is no staff report for this item.](#)

- F. Resolution of the City Council of the City of Emeryville Approving and Authorizing the City Manager to Execute a Right of Way Contract and Easement Deed with the State of California Department of Transportation in Connection with the Development of the East Fork Path at the 40th Street Overcrossing. (Michael Biddle)

[Click here for Item V.F staff report.](#)

- G. Resolution of the City Council of the City of Emeryville Amending Resolution No. 11-132 Affirming in Part and Denying in Part the Appeal of Emeryville Properties II to the Notice of Violation of Emeryville Urban Forestry Ordinance Dated May 10, 2011. (Michael Biddle)

[Click here for Item V.G staff report.](#)

- H. Resolution of the City Council of the City of Emeryville Approving the Application for Continued Funding for Fiscal Year 2012-2013 to the California Department of Education, Child Development Division for the Emeryville Child Development Center. (Melinda Chinn)

[Click here for Item V.H staff report.](#)

- I. Resolution of the City of Emeryville Authorizing the City Manager to Submit an Application to the United States Environmental Protection Agency (EPA) for a \$200,000 Brownfield Cleanup Grant to Fund Remediation of the Golden Gate Key Building Site at 3706 San Pablo Avenue and 1066 - 72 37th Street. (Helen Bean/ Amber Evans)

[Click here for Item V.I staff report.](#)

- J. Resolution of the City Council of the City of Emeryville Authorizing the City Manager to Enter Into a First Amendment to the Maintenance

Contract with Republic ITS, Increasing the Contract Amount by \$77,930 to an Amount Not to Exceed \$151,430 and Appropriating \$36,965 in Measure B Bicycle/Pedestrian Funds to the Capital Improvement Program's Ongoing Slurry Seal Program (TR-0N-Slurry Seal, CIP Project No. 12240004). (Maurice Kaufman/Michael Roberts)

[Click here for Item V.J staff report.](#)

VI. PUBLIC HEARINGS

VII. POLICY ITEMS

VIII. ADMINISTRATIVE ITEM

- A. [Emeryville Child Development Advisory Committee Annual Report for Fiscal Year 2010-2011. \(Melinda Chinn\)](#)

[Click here for Item VIII.A staff report.](#)

- B. [Second Reading of an Ordinance of the City of Emeryville Amending Section 8-11.07 of Chapter 11 of Title 8 of the City of Emeryville Municipal Code Regarding Hours and Days Sandblasting is Permitted. \(Michael Biddle\)](#)
(Continued from Regular October 18, 2011 City Council Meeting)

[Click here for Item VIII.B staff report.](#)

IX. [COMMUNICATION AND REPORTS](#)

A. Department Heads

1. [Planning Director's report on Planning Commission actions at the October 27, 2011 meeting:](#)

[There is no staff report for this item.](#)

- a) Planning Commission schedule for 2012
- b) Wells Fargo Bank, northwest corner of Christie Avenue and Shellmound Street - Study Session
- c) Public Market "Green Living Room" - Study Session
- d) Panera Bread modifications, 40th and Horton Streets*

- e) AT&T Blackdot Wireless Appeal, 1255 Powell Street
- f) City Storage, 4000 Adeline Street*
- g) Urban Outfitters Roof Sign, 5903 Shellmound Street (Public Market)*
- h) Sign Regulations Amendments

* Items subject to appeal by motion of the City Council pursuant to Section 9-4.88.4 of the Zoning Ordinance.

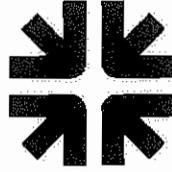
B. Council Members

C. Council Members Reporting on Meetings Attended

X. ADJOURNMENT

THE NEXT REGULAR MEETING WILL BE TUESDAY, NOVEMBER 15, 2011, AT 7:16 P.M., AT 1333 PARK AVENUE, EMERYVILLE, CA 94608.

*Public Meeting: 3706 San Pablo Avenue
Analysis of Brownfield Clean-up Alternatives
& 2012 EPA Cleanup Grant Application*



**3706 San Pablo Avenue
Analysis of Brownfield Clean-up Alternatives
& 2012 EPA Cleanup Grant Application
Public Meeting:**

Special Meeting of the Emeryville City Council
Planning Commission
Housing Committee

Garden Room – Old Town Hall

Thursday, November 3, 2011 at 5:30 p.m.

AGENDA

- I. Welcome (5 min, Staff)
- II. Overview of Site, Acquisition, History & Planned Reuse (10 min)
- III. Analysis of Brownfield Clean-up Alternatives for Site (15 min)
- IV. Grant Application to US EPA for Site Cleanup (5 min)
- V. Next Steps/Meeting Schedule (5 min, Staff)
- VI. Public Comments (15 min)
- VII. Adjournment (5 min, Staff)

All Emeryville Public meetings are noticed as Special City Council, Planning Commission or Housing Committee Meetings so that any or all of the City Council, Housing Committee and Planning Commission may attend and participate in the Meeting's deliberations. However, actions taken at the Meeting are not official actions of the City Council, Planning Commission or Housing Committee but must be ratified at a regular City Council, Housing Committee or Planning Commission meeting. All writings that are public records and relate to an agenda item below which are distributed to a majority of these bodies less than 72 hours prior to the meeting noticed above) will be available at the Information Counter, 1333 Park Avenue, Emeryville, California during normal business hours (9am to 5pm, Monday through Friday, excluding legal holidays).

In compliance with the Americans with Disabilities Act, a person requiring an accommodation, auxiliary aid, or service to participate in this meeting should contact the City Clerk's Office or City's ADA Coordinator at (510) 450-7800, as far in advance as possible but no later than 72 hours before the scheduled event. The best effort to fulfill the request will be made. Assistive listening devices are available for anyone with hearing difficulty from the Advisory Committee secretary prior to the meeting, and must be returned to the committee secretary at the end of the meeting.

No dogs, cats, birds or any other animal or fowl shall be allowed at or brought in to a public meeting by any person except (i) as to members of the public or City staff utilizing the assistance of a service animal, which is defined as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability, or (ii) as to police officers utilizing the assistance of a dog(s) in law enforcement duties.

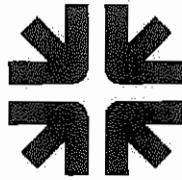
FURTHER INFORMATION may be obtained by contacting Amber Evans, Project Manager, at (510) 596-4382. The next meeting discussing this project is anticipated to be at the Emeryville Housing Committee. No additional meetings are currently planned.

DATED: October 27, 2011

Karen Hemphill, City Clerk

Post by: October 28, 2011

Post until: November 3, 2011



**3706 San Pablo Avenue
Analysis of Brownfield Clean-up Alternatives
& 2012 EPA Cleanup Grant Application**

Public Meeting:

Special Meeting of the Emeryville City Council
Planning Commission
Housing Committee
Garden Room – Old Town Hall

Thursday, November 3, 2011 at 5:30 p.m.

MINUTES

I. Welcome

Staff and attendees made introductions.

II. Overview of Site, Acquisition, History & Planned Reuse

Staff clarified the property was made in two separate acquisitions with 1025 Macarthur having no need for additional cleanup and 3706 San Pablo for which a series of Phase 1 and phase II testing had identified the need to remediate VOC-containing sediments associated with a shop drain at the former auto repair use.

The site was acquired in December 2010 with the use of Redevelopment Low and Moderate Income Housing Trust Fund and as such dedicated to the provision of affordable housing. The housing committee has discussed targeting 60-70 units marketed to low and very low income families and thus containing additional bedrooms.

III. Analysis of Brownfield Clean-up Alternatives for Site

ABCA was distributed. Contractor presented four alternatives and the preferred alternative was to physically remove of contaminated soil to several feet below the surface of the underlying water table targeting VOC-containing sediments in the source area (the drain), the soil column beneath the source area, and the wetted sediments at and below the unconfined water table. Groundwater that collects in the excavation would be removed by vacuum truck. Both the extracted groundwater and the excavated soil would be transported off-site for disposal at an appropriately licensed treatment/disposal facility. The excavation would be backfilled and compacted with clean material suited for the construction project to follow.

IV. Grant Application to US EPA for Site Cleanup

Draft grant application was distributed. As the discussion of the ABCA included the heart of the grant's budget and schedule the discussion focused on how community support for the project could be identified and committed partnership documented. EBALDC noted they would commit to being the development partner if the City was prepared to commit sole source to their development proposal. Staff indicated an RFP process was being pursued. Cypress Mandela Brownfield Job training was identified as a possible partnership that could

train Emeryville residents for participation in local cleanups and could benefit from Emeryville offering first source hiring.

V. **Next Steps - Meeting Schedule**

Partners identified letter so support/partnerships they would pursue by November 18th Staff noted the next meeting regarding the development program for the site would be at the Housing Committee of the City of Emeryville.

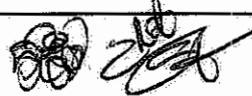
VI. **Public Comments**

Questions regarding lead and asbestos and historic were addressed and staff noted that building was not historical and demolition was planned inclusive of lead and asbestos by the local redevelopment agency separate and in advance of the grant application to EPA. Oakland stakeholders were highlighted as needing to be engaged in the site cleanup due to eth proximity.

VII. **Adjournment was announced at 6:30**

FURTHER INFORMATION may be obtained by contacting Amber Evans, Project Manager, at (510) 596-4382. The next meeting discussing this project is anticipated to be at the Emeryville Housing Committee. No additional meetings are currently planned.

Sign In ABCA and Grant for 3706 San Pablo Ave

Name	Address	Phone	Email	Interests/Concerns
Amber Evans	1333 Park Emeryville 94620	510- 986 - 4382	aevans@ emeryville.org	Partners defined.
Catherine Firpo	1333 Park Emeryville	596-4354	cfirpo@ emeryville.org	
JASON VARGAS	310 8TH ST. 200 OAKLAND, CA	510-287-5399	jvargas@ebaldc.org	
ELAINE KAM	"	"	ekam@ebaldc.org	
Markus Muebambz	 Oakland, CA	510- 579 - 400	MARKUS@AMUSEUMNV.COM	

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Sign In

EMERYVILLE *California*



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You are here: [Home](#) > [Departments](#) > [Economic Development & Housing](#) > [Brownfields / CIERRA](#) > [Current Remediation Projects](#) > [Star Intersection Affordable Housing](#)



- 48th Street Community Garden
- Ambassador Laundry Site
- Bay St. Site B
- Sherwin Williams
- Star Intersection Affordable Housing
- Transit Center

Star Intersection Affordable Housing (3706 San Pablo Avenue)

The City of Emeryville and Emeryville Redevelopment Agency ("Emeryville") acquired the former Golden Gate Key property in the south-east corner of San Pablo Avenue and MacArthur Boulevard to develop affordable housing. Former auto repair uses have left the site contaminated with cleaning solvents (halogenated solvent-TCE), in the site soil and groundwater. The State of California Environmental Protection Agency ("Cal-EPA") Department of Toxic Substances Control ("DTSC") has awarded the City a Targeted Site Investigation Award to focus the remediation plan for the site. The City is now applying to the United States Environmental Protection Agency ("U.S. EPA"), for a 2012 Cleanup grant for \$200,000 for the remediation, as discussed in the [Analysis of Brownfield Cleanup Alternatives - ABCA](#) at the Star Intersection Affordable Housing site in Emeryville, California.

Preliminary discussion of the Analysis of Brownfield Cleanup Alternatives for this site is occurring at a Public Meeting Nov. 3rd, 2011 - this meeting details and a description of how to comment on the ABCA and Grant Application is outlined [here](#).

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City of Emeryville, 1333 Park Avenue Emeryville, California 94608 • Ph: (510) 596-4300 • Fx: (510) 658-8095
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NEWS CENTER

Rebroadcast of October 26 City Council Candidate Forum (November 8 is Election Day)
[Click here for the video.](#)

Public Meeting Re: 3706 San Pablo Ave. Site Clean-Up & EPA Grant Application - Thu., Nov. 3
[Additional Info...](#)

Home Loan Refinancing & Mortgage Modification Strategies Workshop - Sat., Nov. 5
[Additional Info...](#)

Community Meeting Re: Environmental Remediation of Greenway at 59th/Doyle Streets - Mon., Nov. 7
Civic Center Council Chambers, 1333 Park Avenue at 5:00 p.m.



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Business Assistance and Resources

CALENDAR

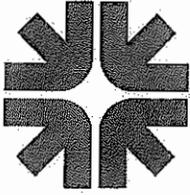
Thu, November 3
Public Safety Committee Meeting
Thu, November 3
City/School Committee Meeting

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Emeryville Municipal Code
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CITY OF EMERYVILLE

INCORPORATED 1896

1333 PARK AVENUE
EMERYVILLE, CALIFORNIA 94608-3517

TEL: (510) 596-4300 FAX: (510) 596-4389

City to Seek EPA Grant for Clean-up of 3706 San Pablo Avenue for the Star Intersection Affordable Housing Meeting to Discuss Cleanup Alternatives Thursday, November 3, 2011

Star Intersection Affordable Housing (3706 San Pablo Avenue)

The City of Emeryville and Emeryville Redevelopment Agency ("Emeryville") acquired the former Golden Gate Key property in the south-east corner of San Pablo Avenue and MacArthur Boulevard to develop affordable housing. Former auto repair uses have left the site contaminated with cleaning solvents (halogenated solvent-TCE), in the site soil and groundwater. The State of California Environmental Protection Agency ("Cal-EPA") Department of Toxic Substances Control ("DTSC") has awarded the City a Targeted Site Investigation Award to focus the remediation plan for the site. The City is now applying to the United States Environmental Protection Agency ("U.S. EPA"), for a 2012 Cleanup grant for \$200,000 for the remediation, as discussed in the *Analysis of Brownfield Cleanup Alternatives – ABCA* at the Star Intersection Affordable Housing site in Emeryville, California.

Public Meeting & Public Comment Period Notice

EPA Brownfield Cleanup Grant Application and
Analysis of Brownfield Cleanup Alternatives (ABCA)
for Star Intersection Affordable Housing at 3706 San Pablo Ave.

Time 5:30 -6:30 pm

Date: Thursday November 3, 2011

Location: Garden Room, City Hall, 1333 Park Avenue, Emeryville

This meeting will provide an opportunity for the public to learn about the proposed cleanup process and to comment on the City of Emeryville's application to EPA for funding to do so. Public input from this meeting will help inform the development of the ABCA for 3706 San Pablo Avenue and the 2012 EPA Grant Application for the Site by the City of Emeryville.

The ABCA can be found by clicking on the Star Intersection Affordable Housing (3706 San Pablo Avenue) link at <http://www.emeryville.org/DocumentView.aspx?DID=1578>

Written comments can be submitted through Monday, November 14th 2011 to aevans@emeryville.org or Amber Evans, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608. If a hard copy of the ABCA is needed, please contact Ms. Evans as above or at 510-596-4382

Attachment 6
Special Considerations Checklist

Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up

Appendix 3 Special Considerations Checklist

Please identify (with an **X**) if any of the below items apply to your community or your project as described in your proposal. EPA will verify these disclosures prior to selection of the grant.

- Community population is 10,000 or less
- Federally recognized Indian tribe
- United States territory
- Applicant assisting a Tribe or territory
- Targeted brownfield sites are impacted by mine-scarred land
- Targeted brownfield sites are contaminated with controlled substances
- Community is impacted by recent natural disaster(s)
- Community demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation
- Community experiencing plant closures (or other significant economic disruptions), including communities experiencing auto plant closures due to bankruptcy
- Applicant is a recipient of a HUD/DOT/EPA Partnership for Sustainable Communities grant
- Community is implementing green remediation plans

Threshold Criteria

Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up

Narrative Proposal

Star Intersection Affordable Family Housing
Emeryville, CA
Brownfield Clean-up