

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

RESOLUTION NO. R2-2011-0029

**ADOPTION OF NEGATIVE DECLARATION FOR FINAL SITE CLEANUP
REQUIREMENTS FOR 2690 CASEY AVENUE, MOUNTAIN VIEW,
SANTA CLARA COUNTY**

WHEREAS:

1. On May 9, 2007, the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) adopted site cleanup requirements (SCR) Order No. R2-2007-0040 (Order) requiring the responsible parties as defined in the Order to implement an interim remedial action plan and propose a final remedial action plan at 2690 Casey Avenue in Mountain View. The Order was adopted to address the existing threats to water quality posed by volatile organic compound (VOC) releases at the Site. In response to these requirements, the responsible parties implemented interim remedial measures, conducted groundwater, soil gas and indoor air monitoring, and prepared a final remedial action plan for the Site;
2. The responsible parties have proposed a final remedial action plan for the Site dated January 31, 2011. The adoption of the final SCR would require implementation of the final remedial action plan. The final remedial action plan proposes remedial activities including: (1) excavation of the VOC-affected soils above the cleanup standards when the Site building is demolished for Site redevelopment; (2) in-situ groundwater treatment as a contingency measure to be evaluated at the time the site is redeveloped and the final remedial excavation is performed; (3) on-going groundwater and indoor air monitoring to assess protection of aquatic receptors and current and future commercial worker exposure; and (4) implementation of mitigation measures if indoor air monitoring levels are above the action levels;

Cleanup standards were proposed in the final remedial action plan by the responsible parties based on the Regional Water Board's Tier 1 Environmental Screening Levels, as well as site-specific Tier 2 cleanup levels for soil gas and action levels for indoor air that are protective of human health and the environment;

3. The Regional Water Board is the lead agency for approving the project under the California Environmental Quality Act (CEQA at Public Resources Code, § 21000 et seq.), has conducted an Initial Study in accordance with Title 14, California Code of Regulations, § 15063, and has prepared a Negative Declaration in accordance with Title 14, California Code of Regulations, § 15070 et seq. The Project, as defined for the purposes of this CEQA evaluation, consists of the adoption of the final SCR and associated Self-Monitoring Program, and implementation of the final remedial action plan. The Initial Study did not identify any potentially significant impacts.

4. On March 23, 2011, the Negative Declaration and supporting Initial Study were transmitted to the State Clearinghouse (SCH No. 2011 032 053) and copies were independently mailed to all agencies and persons known to be interested in this matter, thus initiating a 30-day public review and comment period;
5. On March 24, 2011, the Regional Water Board provided a Notice of Intent to adopt the Negative Declaration to the interested occupants of the 2690 Casey Avenue and 1201 San Antonio Road buildings in Mountain View;
6. On March 28, 2011, the Regional Water Board provided a CEQA No Effect Determination form to the Department of Fish and Game;
7. The Regional Water Board has not received comments on the Negative Declaration and supporting documents;
8. The Regional Water Board finds that on the basis of the whole record there is no substantial evidence that the Project will have a significant effect on the environment. The Negative Declaration, all supporting documentation, and the record of proceedings are available at the Regional Water Board's offices;
9. The Negative Declaration reflects the independent judgment and analysis of the Regional Water Board;
10. The record of proceedings on which the Regional Water Board's decision is based is available at the Regional Water Board's office. The Regional Water Board's custodian of records is Ms. Melinda Wong;
11. The Regional Water Board considered all testimony and evidence at a public hearing held on May 11, 2011, in Oakland, and good cause was found to adopt the Negative Declaration.

THEREFORE BE IT RESOLVED, that the Regional Water Board hereby adopts the Negative Declaration for the Project.

I, BRUCE H. WOLFE, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 11, 2011.

Bruce H. Wolfe
Executive Officer