

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION**

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Site Mitigation and Restoration Program
700 Heinz Avenue
Berkeley, CA 94710

Subject: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OF THE PUBLIC RESOURCES CODE

Project Title: Former J. H. Baxter Facility, Fox/Collins Property Removal Action Workplan Addendum

State Clearinghouse Number: 2009102040 - Boatworks Residential Project Environmental Impact Report

Project Location: 2229 Clement Avenue, Alameda, California 94501

County: Alameda

Project Applicant: Francis Collins

Project Description: The Department of Toxic Substances Control approved the Removal Action Workplan Addendum for the Former J. H. Baxter Facility, Fox/Collins Property. The RAW Addendum remediation activities consist of capping the residual contaminated soil, installing soil vapor intrusion mitigation systems (VIMS) under the future buildings, and installing groundwater treatment wells.

A VIMS design document will be submitted to DTSC for review and approval prior to residential development. The entire Site would be capped with hardscape, building foundations, and clean fill in landscaped areas. In addition, a Land Use Covenant (deed restriction) would be recorded with the County of Alameda to ensure the maintenance of the proposed cap and the VIMS, and to restrict the future use of groundwater. Components of the VIMS would include a liner beneath the buildings to keep the soil vapor from getting inside and venting pipes that would release the soil vapor above the rooftop. Groundwater treatment wells would address residual contamination in the deeper groundwater flowing to the Oakland Estuary in order to protect the aquatic ecosystem. The final design of the treatment system would take into consideration what is most effective for Site conditions. Community protections measures would include applying water and foam sprays to control dust and odor. The remedy would protect public health and the environment.

As Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on April 2, 2021 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report Addendum was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of project approval.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control
Site Mitigation and Restoration Program
700 Heinz Avenue
Berkeley, CA 94710

Additional project information is available on EnviroStor: www.envirostor.dtsc.ca.gov/public/

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Approver's Signature:

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Date:

April 6, 2021

Approver's Name

John Karachewski, PhD, PG, CHG

Approver's Title

Acting Branch Chief

Approver's Phone Number

(510) 540-3834

TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: