

Notice of Determination

TO:

Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

FROM:

Public Agency: Region 2 Water Board
Address: 1515 Clay St, Suite 1400, Oakland CA 94612
Contact: Kimberlee West
Phone: 510-622-2432

County Clerk

County of:
Address:

Lead Agency (if different from above):

Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): NA

Project Title: Water Board Adoption of Final Site Cleanup Requirements and Rescission of Order Nos. R2-2005-0038 and R2-2014-0008 for TH-HW Enterprise LLC

Project Location (include county): 8610 Enterprise Drive, Newark, Alameda County

Project Description: This project adopts an Order to rescind the existing site cleanup requirements for the site at 8610 Enterprise Drive, name TH-HW Enterprise LLC as the discharger for the site, set cleanup levels protective of residential land use, approve the discharger's remedial action plan, and set a schedule for its implementation. The environmental impacts of the remediation approved by this Order have been considered in the Program Environmental Impact Report (PEIR) (State Clearinghouse No 2010042012) for the Dumbarton Transit Oriented Development approved by the City of Newark. The Regional Water Board, as a responsible agency, has reviewed the PEIR and has determined that the City's evaluation of the environmental impacts of remediation as less than significant with mitigation measures was adequate.

This is to advise that the Region 2 Water Board has approved the above described project on May 21, 2019 and has made the following determinations regarding the above described project:

- 1. The project [] will [X] will not have a significant effect on the environment.
2. [X] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [X] was not adopted for this project.
6. Findings [X] were [] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at:
http://www.newark.org/departments/community-development/specific-plans-master-plans/dumbarton-transit-oriented-development

Signature (Public Agency) [Signature] Title: EXECUTIVE OFFICER

Date: 5/21/19 Date Received for filing at OPR: [Signature]

Authority cited: Section 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

MAY 28 2019