

PARTNER

Engineering and Science, Inc.



PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

Trimble

Southwest Corner of Trimble Road and Orchard Parkway
San Jose, California 95131

November 2018

Partner Project No. 18-227354.1



Prepared for:

LBA - RVI - Company I, LP

3347 Michelson Drive, Suite 200
Irvine, California 92612

November 2018

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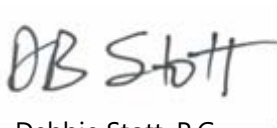
Subject: Phase I Environmental Site Assessment
Trimble
Southwest Corner of Trimble Road and Orchard Parkway
San Jose, California 95131
Partner Project No. 18-227354.1

Partner Engineering and Science, Inc. (Partner) is pleased to provide the results of the *Phase I Environmental Site Assessment* (Phase I ESA) report of the abovementioned address (the "subject property"). This assessment was performed in general conformance with the scope and limitations as detailed in the ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

The Phase I Environmental Site Assessment is designed to provide LBA Realty, LLC with an assessment concerning environmental conditions (limited to those issues identified in the report) as they exist at the subject property. This assessment included a site reconnaissance as well as research and interviews with representatives of the public, property ownership, site manager, and regulatory agencies. An assessment was made, conclusions stated, and recommendations outlined.

We appreciate the opportunity to provide environmental services to LBA Realty LLC. If you have any questions concerning this report, or if we can assist you in any other matter, please contact me at (310) 622-8855.

Sincerely,



Debbie Stott, P.G.
Principal

EXECUTIVE SUMMARY

Partner Engineering and Science, Inc. (Partner) has performed a Phase I Environmental Site Assessment (ESA) in general accordance with the scope of work and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) for the property located at the southwest corner of Trimble Road and Orchard Parkway in the City of San Jose, Santa Clara County, California (the "subject property"). The Scope of Services performed is in accordance with the contract between LBA Realty, LLC (LBA) and Partner dated October 14, 2013.

Property Description

The subject property is located on the south side of West Trimble Road, west of Orchard Parkway, in a mixed commercial/industrial area of San Jose, Santa Clara County, California. Please refer to the table below for further description of the subject property:

Subject Property Data

Address:	New Address Pending
Historical Addresses:	350 and 370 West Trimble Road, San Jose, California 95131
Property Use:	Commercial
Land Acreage (Ac):	Approximately 14 Ac
Number of Buildings:	Vacant land
Number of Floors:	Not Applicable (NA)
Date of Construction:	NA
Assessor's Parcel Number (APN):	New APN Pending (Formerly part of 101-020-13 (350 Trimble Road) and 101-020-14 (370 Trimble Road))
Type of Construction:	NA
Current Tenants:	Vacant land/Paved parking lot
Zoning:	PD-CN (Planned Development Zoned – Commercial Neighborhood)
Site Assessment Performed By:	Erik Brown of Partner
Site Assessment Conducted On:	October 3, 2018

The subject property consists of an approximately 14-acre vacant parcel of land that is currently part of a larger 68-acre site that includes excess land and existing buildings. See Figures 1, 2, and 3 for location. The primary use of the larger parcel is as a manufacturing and office facility for Lumileds. A lot split is pending and a new address and APN will be assigned after the lot split is completed. The subject property was formerly used by Lumileds as a paved parking area with circulation drives and landscaping. All Lumileds buildings and operations are located offsite (outside this 14-acre area) and adjacent to the southwest.

A portion of the subject property is currently under construction (earth moving and grading) to accommodate for the future lot split and redevelopment of the property. The proposed redevelopment is governed by zoning that allows for 100,000 square feet of commercial retail uses and up to a 250-bed hotel. The western portion of the subject property consists of an asphalt-paved parking lot, currently used as a construction staging area. One modular office trailer, a solid waste dumpster, construction

equipment, and shipping container with construction supplies are currently located on the parking lot. Site preparation and grading activities are currently being conducted on the eastern portion of the subject property. Access to the subject property is provided via a paved driveway from West Trimble Road to the northwest and by a temporary driveway from Orchard Parkway to the east.

No evidence of the use of reportable quantities of hazardous substances was observed on the subject property. Hazardous wastes were not observed on the subject property. No evidence of aboveground storage tanks (ASTs) or underground storage tanks (USTs) such as fill ports, piping, or vent pipes was observed or reported onsite.

According to review of available historical data, it appears that the subject property was undeveloped and/or agricultural land from at least 1889 through 1974, and improved as part of the larger commercial/industrial facility in 1978. According to the city directories and previous reports, Hewlett-Packard purchased approximately 68-acres of land that included the subject property in 1976. Hewlett-Packard operations included manufacturing LEDs, fiber optic components, and microwave frequency communications equipment. Between 1978 and the early 1980s, the subject property was developed with the current paved parking areas and driveways during the time the Hewlett-Packard buildings were constructed. In 1999, Agilent Technologies, a company created by Hewlett-Packard's divestiture of non-core businesses, acquired the subject property and adjoining facilities. Agilent Technologies and Philips Lighting then created Lumileds Lighting, which operated until 2005 when Philips Lighting acquired Agilent's interest in the business and the name changed to Philips Lumileds Lighting Company. In 2005, Agilent sold their semiconductor manufacturing operations to Avago Technologies, which operated until 2015. Philips sold the Lumileds buildings and land in 2017, and the now stand-alone company Lumileds currently occupies the facility adjoining the site. During this time, the site remained a parking lot. According to the Santa Clara County Assessor, the subject property and adjacent Lumileds were acquired by LBA - RVI - Company I, LP from 370 West Trimble Road Corp. in March 2017. In 2018, the 14-acre subject property was re-zoned through the City of San Jose and a Tentative Map reflecting a split from the 68-acre larger parcel and Lumileds facility has been submitted to the City.

In October 2014, URS conducted a Phase II Site Investigation to identify soil and groundwater conditions at the following areas of the larger Lumileds property: diesel UST area, solvent unloading area, wastewater treatment, other process areas, surficial soil, and perimeter groundwater. Twelve soil borings with 2 samples collected per boring, eight groundwater samples, and 15 surface soil samples were conducted. A total of 39 soil samples and 20 groundwater samples were submitted for analyses. Three of the surface soil samples were collected upwind of the bag house.

Sample analytical results were compared to Environmental Screening Levels (ESLs) established by the San Francisco Bay Regional Water Quality Control Board (December 2013).

Analytical results for the site indicated:

Subsurface Soil Samples: Arsenic was identified in 15 of 18 subsurface soil samples on the larger property collected from depths of 4.5 feet to 19 feet below the surface at an average and maximum concentration of 5.58 mg/kg and 22 mg/kg, respectively. Samples PLSB-6 (6.6 mg/kg), PLSB-9 (7.3 mg/kg), and PLSB-10 (8 mg/kg) were collected from 10 to 19 feet bgs onsite. URS concluded that these concentrations

appeared to be consistent with background concentrations identified in prior regional studies and no further investigation was warranted. One groundwater sample (Sample PLSB-5) collected from the site contained an arsenic concentration of 24 micrograms per liter ($\mu\text{g/L}$), above the 10 $\mu\text{g/L}$ maximum contaminant levels (MCLs) for groundwater used as drinking water, but below the 36 $\mu\text{g/L}$ environmental screening level (ESL) for groundwater not used as a drinking water source. Arsenic was not identified in the remaining seven groundwater samples from process areas of the Lumileds facility. Based on these data, URS concluded that no additional investigation of arsenic in groundwater appears to be warranted.

Shallow Surficial Soil Samples: Three surface soil samples (3" below ground surface (bgs)) in areas of the larger site identified as predominantly upwind or crosswind of the baghouse contained arsenic concentrations of 9.3 mg/kg, 6.7 mg/kg, and 8.0 mg/kg (offsite Samples SS-1, SS-2, and SS-3). These samples were used to define background concentrations. Samples collected downwind of the baghouse contained arsenic concentrations ranging from 7.4 mg/kg to 36 mg/kg, with an average concentration of 14.7 mg/kg. Onsite Samples SS-5 (23 mg/kg), SS-8 (12 mg/kg), and SS-9 (14 mg/kg) were collected downwind of the baghouse. No actions were recommended as the average concentrations were consistent with background.

Groundwater Samples: Perimeter groundwater samples (onsite samples PLPB-5 and PLPB-6) were collected on the subject property. No VOCs, or SVOCs, were detected in these onsite samples. Zinc was the only metal detected above RL, but was below the ESL and the MCL. Samples from the larger property were below levels for groundwater not used as a drinking water source. Based on these results, URS concluded that no additional investigation of groundwater in the perimeter of the subject property appeared to be warranted.

Partner reviewed a Soil Management Plan (SMP) dated October 2015 prepared by Haley & Aldrich (HA) for the nearby 2509 Orchard Parkway (See Section 4.2.3). This report was obtained from the State Water Resources Control Board GeoTracker online database. This parcel is located approximately 0.30-miles to the south of the subject property and adjacent to the south of the original 68-acre parcel. Historically, this parcel was in use agriculturally with crops or orchards concurrently with and consistent with the subject property. The purpose of the SMP was to identify general requirements and guidelines for the management of soil containing elevated concentrations of arsenic, such that the mitigation measures are protective under the planned commercial land use. Soil samples were analyzed for organochlorine pesticides (OCPs), arsenic, lead, and mercury. Soil samples were collected at the surface and at deeper depths up to 3.5 feet below ground surface (bgs). Analytical results indicated that the pesticide Dieldrin was detected in one of the surface soil samples and was the only OCP detected above a human health screening level. Mercury and lead were detected at levels below environmental screening levels. Arsenic was present at up to 41 milligrams per kilogram (mg/kg). Background levels of arsenic in this area generally range between 11 and 15 mg/kg. HA prepared a human health risk assessment (HHRA) using the data. HA concluded that the future commercial indoor worker, exposure to COPCs in soil may present an unacceptable human health risk should the soil at the parcel remain uncovered. The chemical of concern is arsenic to depths of up to 2.5 feet. Exposure to chemicals of concern in soil does not pose unacceptable health risks to the future on-site landscaper under the conditions evaluated. Therefore, no mitigation measures are warranted for the future on-site landscaper. HA proposed that site soil be covered in various ways as a mitigation measure. Mitigation measures to be

implemented during construction were also provided. It is Partner's opinion that similar conditions would be present on the vacant portion of the subject property and that mitigation measures would be similar.

In summary:

- Soil must be covered to prevent office workers from breathing air blown dust.
- Landscape workers are not expected to be exposed because landscaped materials will be using site soil not impacted with arsenic.
- Typical soil management methods to maintain dust control will be effective for short term construction workers.

In 2017, Partner completed a Phase I ESA for the 68-acre parcel (this included the subject property). Lumileds occupied the facility (now considered adjacent to the subject property). In 2005, Lumileds applied for a permit amendment to expand ammonia storage, used in the manufacture of LED light bulbs. As part of the review process, a worst case release scenario was calculated. After evaluation of that modeling by the City of San Jose Fire Department, as described in Section 5.2.6, the Planning Commission determined that the increased ammonia storage would not have a negative impact on the intended use of adjacent properties and that the potential risks have been appropriately addressed. The subject property is located well outside the release scenario endpoint.

The agency database report obtained from Environmental Data Resources, Inc. (EDR) identified the subject property as:

- 350 West Trimble Road/LBA Realty (EDR ID Number: B26), listed at 350 West Trimble Road, is identified in the NPDES, San Jose Hazmat and CIWQS databases. The NPDES is listed as an active stormwater construction permit issued on May 29, 2018.

The subject property is located within a mixed commercial and industrial area. During the vicinity reconnaissance, Partner observed the following land use on properties in the immediate vicinity of the subject property:

Immediately Surrounding Properties

Northwest: West Trimble Road is adjacent to the northwest, beyond which are AutoX Inc. (441 West Trimble Road), ASML US, Inc. (399 West Trimble Road), and Verizon (375 West Trimble Road).

Southwest: Lumileds (370 West Trimble Road) and vacant land under construction are adjacent to the south (discussed above).

East: Orchard Parkway is adjacent to the east, beyond which are vacant office buildings (2570 & 2590 Orchard Parkway) and vacant land.

Southeast: The Lumileds employee parking lot is adjacent to the west.

No environmental concerns associated with adjacent properties were identified based on visual observation from publicly accessible rights-of-way.

According to information obtained from the California Regional Water Quality Control Board online database, GeoTracker, for the adjacent property (Case Number T0608598475 – 350 West Trimble Road)

and topographic map interpretation, groundwater in the vicinity of the subject property is present at a depth between 9 to 17 feet below ground surface (bgs) and flows toward the northwest.

Findings

A *recognized environmental condition (REC)* refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment.

- Partner did not identify recognized environmental conditions during the course of this assessment.

A *controlled recognized environmental condition (CREC)* refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. The following was identified during the course of this assessment:

- Partner did not identify controlled recognized environmental conditions during the course of this assessment.

A *historical recognized environmental condition (HREC)* refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The following was identified during the course of this assessment:

- Partner did not identify historical recognized environmental conditions during the course of this assessment.

An *environmental issue* refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion. The following was identified during the course of this assessment:

- During previous investigations conducted at the property, arsenic was identified in subsurface soil samples at an average and maximum concentration of 5.58 mg/kg and 23 mg/kg, respectively. These concentrations appeared to be consistent with background concentrations identified in prior regional studies. Based on the proposed redevelopment of portions of the subject property for future mixed use of retail, office, and hotel, additional sampling for arsenic, metals, and organochlorine pesticides does not appear to be warranted for future soil management.

Conclusions, Opinions and Recommendations

Partner has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 of property located at the southwest Corner of Trimble Road and

Orchard Parkway in the City of San Jose, Santa Clara County, California (the "subject property"). Any exceptions to or deletions from this practice are described in Section 1.5 of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property. Environmental issues as described above were identified. Based on the conclusions of this assessment, Partner recommends the following:

- Follow the existing Soil Management Plan (SMP) to mitigate soil and dust impacted with arsenic during construction activities.

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1.0 INTRODUCTION

Partner Engineering and Science, Inc. (Partner) has performed a Phase I Environmental Site Assessment (ESA) in general conformance with the scope and limitations of ASTM Standard Practice E1527-13 and the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) for the property located at the southwest Corner of Trimble Road and Orchard Parkway in the City of San Jose, Santa Clara County, California (the "subject property"). Any exceptions to, or deletions from, this scope of work are described in the report.

1.1 Purpose

The purpose of this ESA is to identify existing or potential Recognized Environmental Conditions (as defined by ASTM Standard E-1527-13) affecting the subject property that: 1) constitute or result in a material violation or a potential material violation of any applicable environmental law; 2) impose any material constraints on the operation of the subject property or require a material change in the use thereof; 3) require clean-up, remedial action or other response with respect to Hazardous Substances or Petroleum Products on or affecting the subject property under any applicable environmental law; 4) may affect the value of the subject property; and 5) may require specific actions to be performed with regard to such conditions and circumstances.

This ESA was performed to permit the User to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601) liability (hereinafter, the "landowner liability protections," or "LLPs"). ASTM Standard E-1527-13 constitutes "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defined at 42 U.S.C. §9601(35)(B).

In order to qualify for one of the *LLPs* offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the *Brownfields Amendments*), the *User* must provide the following information (if available) to the *environmental professional*. Failure to provide this information could result in a determination that *all appropriate inquiry* is not complete. The user is asked to provide information or knowledge of the following:

- Environmental cleanup liens that are filed or recorded against the site.
- Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry.
- Specialized knowledge or experience of the person seeking to qualify for the LLPs.
- Relationship of the purchase price to the fair market value of the *property* if it were not contaminated.
- Commonly known or *reasonably ascertainable* information about the *property*.
- The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate assessment.
- The reason for preparation of this Phase I ESA.

Fulfillment of these user responsibilities is key to qualification for the identified defenses to CERCLA liability. Partner requested our Client to provide information to satisfy User Responsibilities as identified in Section 6 of the ASTM guidance.

1.2 Scope of Work

The scope of work for this ESA is in general accordance with the requirements of ASTM Standard E 1527-13 and the contract between LBA Realty and Partner dated October 14, 2013.

This assessment included: 1) a property and adjacent site reconnaissance; 2) interviews with key personnel; 3) a review of historical sources; 4) a review of regulatory agency records; and 5) a review of a regulatory database report provided by a third-party vendor. Partner contacted local agencies, such as environmental health departments, fire departments and building departments in order to request for review records of current and/or former hazardous substances usage, storage and/or releases of hazardous substances on the subject property.

Partner researched information on the presence of activity and use limitations (AULs) at the appropriate agencies. As defined by ASTM E1527-13, AULs are the legal or physical restrictions or limitations on the use of, or access to, a site or facility: 1) to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or groundwater on the subject property; or 2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include institutional and/or engineering controls (IC/ECs), are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil or groundwater on the property.

If requested by Client, this report may also include the identification, discussion of, and/or limited sampling of asbestos-containing materials (ACMs), lead-based paint (LBP), microbial growth, and/or radon.

1.3 Limitations

Partner warrants that the findings and conclusions contained herein were accomplished in accordance with the methodologies set forth in the Scope of Work. These methodologies are described as representing good commercial and customary practice for conducting an ESA of a property for the purpose of identifying recognized environmental conditions. There is a possibility that even with the proper application of these methodologies there may exist on the subject property conditions that could not be identified within the scope of the assessment or which were not reasonably identifiable from the available information. Partner believes that the information obtained from the record review and the interviews concerning the subject property is reliable. However, Partner cannot and does not warrant or guarantee that the information provided by these other sources is accurate or complete. The conclusions and findings set forth in this report are strictly limited in time and scope to the date of the evaluations. The conclusions presented in the report are based solely on the services described therein, and not on scientific tasks or procedures beyond the scope of agreed-upon services or the time and budgeting restraints imposed by the Client. No other warranties are implied or expressed.

Some of the information provided in this report is based upon personal interviews, and research of available documents, records, and maps held by the appropriate government and private agencies. This report is subject to the limitations of historical documentation, availability, and accuracy of pertinent records, and the personal recollections of those persons contacted.

This practice does not address requirements of any state or local laws or of any federal laws other than the all appropriate inquiry provisions of the LLPs. Further, this report does not intend to address all of the safety concerns, if any, associated with the subject property.

Environmental concerns, which are beyond the scope of a Phase I ESA as defined by ASTM include the following: ACMs, LBP, radon, and lead in drinking water. These issues may affect environmental risk at the subject property and may warrant discussion and/or assessment; however, are considered non-scope issues. If specifically requested by the Client, these non-scope issues are discussed in Section 6.3.

1.4 User Reliance

Reliance on this report by the client and all authorized parties will be subject to the terms, conditions and limitations stated in the Master Services Agreement (MSA) dated October 14, 2013 between Partner Engineering and Science, Inc. and LBA Realty, LLC and its assigns.

This report has been prepared for use by LBA and shall not be relied upon by or transferred to any other party, or used for any other purpose, without the express written authorization of Partner Engineering and Science, Inc.

1.5 Limiting Conditions

The findings and conclusions contain all of the limitations inherent in these methodologies that are referred to in ASTM E1527-13.

Specific limitations and exceptions to this ESA are more specifically set forth below:

- Interviews with past owners, operators and occupants prior to 2017 were not reasonably ascertainable and thus constitute a data gap. Based on information obtained from other historical sources (as discussed in Section 3.0), this data gap is not expected to alter the findings of this assessment.

2.0 SITE DESCRIPTION

2.1 Site Location and Legal Description

The subject property is located at the southwest corner of Trimble Road and Orchard Parkway. The subject property was inspected by Mr. Erik Brown of Partner on October 3, 2018. According to the Santa Clara County Assessor, the subject property is currently identified by Assessor's Parcel Number (APN); 101-020-13 (350 Trimble Road) and 101-020-14 (370 Trimble Road). A lot split is pending and a new address and APN will be assigned after the lot split is completed. Ownership is currently vested in LBA RVI-Company I LP. Please refer to the table below for further description of the subject property.

Subject Property Data

Address:	New Address Pending
Historical Addresses:	350 and 370 West Trimble Road, San Jose, California 95131
Property Use:	Commercial
Land Acreage (Ac):	14 Ac
Number of Buildings:	vacant
Number of Floors:	Not Applicable (NA)
Date of Construction:	NA
Assessor's Parcel Number (APN):	New APN Pending (Formerly part of 101-020-13 (350 Trimble Road) and 101-020-14 (370 Trimble Road))
Type of Construction:	NA
Current Tenants:	Vacant land/Paved parking lot
Zoning:	PD-CN (Planned Development Zoned – Commercial Neighborhood)
Site Assessment Performed By:	Erik Brown of Partner
Site Assessment Conducted On:	October 3, 2018

Please refer to Figure 1: Site Location Map, Figure 2: Site Plan, Figure 3: Topographic Map, and Appendix A: Site Photographs for the location and site characteristics of the subject property.

2.2 Current Property Use

The subject property consists of an approximately 14-acre parcel of land that is currently part of a larger 68-acre site that currently includes excess land and existing buildings. The primary use of the larger parcel is as a manufacturing and office facility for Lumileds. A lot split is pending and a new address and APN will be assigned after the lot split is completed. The subject property was formerly used by Lumileds as a paved parking area with circulation drives and landscaping. All Lumileds buildings and operations are located offsite (outside this 14-acre area) and adjacent to the southwest.

A portion of the subject property is currently under construction (earth moving and grading) to accommodate for the future lot split and redevelopment of the property. The proposed redevelopment is governed by zoning that allows for 100,000 square feet of commercial retail uses and up to a 250-bed hotel. The western portion of the subject property consists of an asphalt-paved parking lot, currently used as a construction staging area. One modular office trailer, a solid waste dumpster, construction equipment, and shipping container with construction supplies are currently located on the parking lot.

Site preparation and grading activities are currently being conducted on the eastern portion of the subject property. Access to the subject property is provided via a paved driveway from West Trimble Road to the northwest and by a temporary driveway from Orchard Parkway to the east.

2.3 Current Use of Adjacent Properties

The subject property is located within a mixed commercial and industrial area. During the vicinity reconnaissance, Partner observed the following land use on properties in the immediate vicinity of the subject property:

Immediately Surrounding Properties

Northwest: West Trimble Road is adjacent to the northwest, beyond which are AutoX Inc. (441 West Trimble Road), ASML US, Inc. (399 West Trimble Road), and Verizon (375 West Trimble Road).

Southwest: Lumileds (370 West Trimble Road) and vacant land under construction are adjacent to the south.

East: Orchard Parkway is adjacent to the east, beyond which are vacant office buildings (2570 & 2590 Orchard Parkway) and vacant land.

Southeast: The Lumileds employee parking lot is adjacent to the west.

No environmental concerns associated with adjacent properties were identified based on visual observation from publicly accessible rights-of-way.

2.4 Physical Setting Sources

2.4.1 Topography

The United States Geological Survey (USGS) *Milpitas, California* Quadrangle 7.5-minute series topographic map was reviewed for this ESA. The subject property lies at an approximate elevation of 32 feet above mean sea level (msl) with a local topographic gradient toward the northwest.

A copy of the most recent topographic map is included as Figure 3.

2.4.2 Hydrology

According to topographic map interpretation, groundwater in the vicinity of the subject property is inferred to flow toward the northwest. According to information obtained from the California Regional Water Quality Control Board online database, GeoTracker, for the adjacent property (Case Number T0608598475 – 350 West Trimble Road) and topographic map interpretation, groundwater in the vicinity of the subject property is present at a depth between 9 to 17 feet below ground surface (bgs) and flows toward the northwest.

The nearest surface water in the vicinity of the subject property is the Guadalupe River located approximately 0.18-mile to the southwest of the subject property. No settling ponds, lagoons, surface impoundments, wetlands or natural catch basins were observed on the subject property during this assessment.

2.4.3 Geology/Soils

The subject property is situated within the Santa Clara Valley, which is an intermontane basin in the coastal region of the State of California. The rocks that underlie the basins and form the surrounding mountains are primarily marine sediments and metamorphic and igneous rocks, all of which are Mesozoic age but locally include rocks of the Cenozoic age. The subject property is located at approximately 130 feet above mean sea level. The estimated depth to bedrock at the subject property is approximately 1,200 to 1,300 feet below the ground surface.

Based on information obtained from the USDA Natural Resources Conservation Service Web Soil Survey online database, the subject property is mapped as Urban land-Campbell complex, Campbell silt loam, and Urban Land-Elder complex. These soils are moderately well drained to somewhat excessively drained, permeable soils and consist of alluvium derived from metamorphic and sedimentary rock and/or alluvium derived from metavolcanics. Slopes range from 0 to 2 percent.

2.4.4 Flood Zone Information

Partner performed a review of the Flood Insurance Rate Map, published by the Federal Emergency Management Agency. According to Community Panel Number 06085C0068J, dated February 19, 2014, portions of the subject property appear to be located in Zone X, an area of 2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas located in Zone AH, areas of flood depths of 1 to 3 feet (usually areas of ponding).

3.0 HISTORICAL INFORMATION

Partner obtained historical use information about the subject property from a variety of sources. Information regarding past land use was obtained by a review of historical aerial photographs, historical Sanborn Fire Insurance maps, city directories, and historical topographic maps of the subject property and surrounding area obtained from Environmental Data Resources (EDR). Copies of the historical resources are included in **Appendix B**. EDR reported that Sanborn™ Fire Insurance Maps were not available for the subject property. A chronological listing of the historical data found is summarized in the table below.

Date	Scale or Address	Source	Summary
1889, 1897, 1899	1:62,500	Topographic Map	The subject property and immediately surrounding area are depicted as undeveloped or vacant land. Guadalupe River is located to the west. Various improved roads and railroad lines are shown throughout the surrounding area. No structures are depicted on the subject property.
1939, 1948, 1950, 1956	1" = 500'	Aerial Photograph	The subject property and adjacent properties are developed for agricultural use. Guadalupe River is located to the west and Highway 101 is located further to the southwest.
1953	1:24,000	Topographic Map	The northern portion of the subject property and adjacent properties to the north and south are depicted as developed for agricultural use. The south-central portion of the subject property is depicted as vacant land. Highway 101 is located further south.

Date	Scale or Address	Source	Summary
1961, 1968, 1973	1:24,000	Topographic Map	No significant changes to the subject property from the 1953 map are depicted, except one small structure associated with the agricultural operations (likely a residence) is depicted on the northeastern portion of the subject property. West Trimble Road is under construction adjacent to the north and the Guadalupe River is located within a channel further to the west of the subject property. By 1968, an additional farm type building is depicted on the northeastern portion of the subject property.
1963, 1968, 1974	1"=500'	Aerial Photograph	No significant changes to the subject property from the 1956 photo are depicted, except an additional farm building is depicted on the north-central portion of the subject property. West Trimble Road is located adjacent to the north and the Guadalupe River is located within its existing channel further to the west of the subject property.
1976		Previous Reports	Hewlett-Packard acquired the subject property.
1978		Previous Reports	Hewlett-Packard constructed Building 90 to the south of the subject property.
1980	1:24,000	Topographic Map	The subject property is depicted as developed with the existing paved parking areas and driveways. Adjacent Hewlett-Packard buildings and associated driveways and parking lots are located adjacent to the southwest. The southern portion of the subject property is depicted as vacant land. Commercial buildings are visible to the north, west, and east.

Date	Scale or Address	Source	Summary
1982, 1993, 1998, 2005, 2006, 2009, 2010, 2012	1" = 500'	Aerial Photograph	The subject property is depicted as developed with the existing paved parking areas and driveways. The southeastern portion of the subject property appears to be agriculturally developed land. Adjacent Hewlett-Packard buildings and associated driveways and parking lots are located adjacent to the southwest. Commercial buildings are visible to the northwest. Agriculturally developed and vacant land are located to the north, east, and south east. By 1993, commercial properties are located to the north and to the east by 1998. By 2006, Orchard Parkway was located adjacent to the east, followed by commercial properties and vacant land.
1982		Previous Reports	Hewlett-Packard constructed Building 91 to the south of the subject property.
1982-1996	350 West Trimble Rd.	City Directory	Hewlett Packard Electronics Manufacturer, Manufacturing Productivity Division, Microwave Semiconductor Division Co., HP Labs Division, Hewlett Packard Co.
2000	370 West Trimble Rd.	City Directory	Hewlett Packard Co.
2007-2012		Aerial Photograph – Google Earth	Developed with parking areas for building complex to the southwest.
2008	350 West Trimble Rd. 370 West Trimble Rd.	City Directory	Avago Tech Wireless USA MFG Inc., Avago Technologies Inc. Agilent Technologies Inc., Hewlett Packard Co., Lumileds Lighting LLC, Philips Lumileds Lighting Company

Date	Scale or Address	Source	Summary
2013	370 West Trimble Rd.	City Directory	Lumileds Philips, Philips Lumileds Lighting Company
2014	370 West Trimble Rd.	Previous Report	Lumileds Philips, Philips Lumileds Lighting Company
March 2017		Interview	LBA RIV-Company I, LP (LBA) acquired the subject property.
2018	New address pending.	Interview	Parcel split documentation submitted.

According to review of available historical data, it appears that the subject property was undeveloped and/or agricultural land from at least 1889 through 1974, and improved as part of the larger commercial/industrial facility in 1978. According to the city directories and previous reports, Hewlett-Packard purchased acreage that included the subject property in 1976. Hewlett-Packard operations included offsite manufacturing of LEDs, fiber optic components, and microwave frequency communications equipment. Between 1978 and the early 1980s, the subject property was developed with the current paved parking areas and driveways during the time the Hewlett-Packard buildings were constructed. In 1999, Agilent Technologies, a company created by Hewlett-Packard's divestiture of non-core businesses, acquired the subject property. Agilent Technologies and Philips Lighting then created Lumileds Lighting, which operated until 2005 when Philips Lighting acquired Agilent's interest in the business and the name changed to Philips Lumileds Lighting Company. In 2005, Agilent sold their semiconductor manufacturing operations to Avago Technologies, which operated adjacent to the site until 2015. Philips sold the Lumileds buildings and land in 2017, and the now stand-alone company, Lumileds currently occupies the facility adjoining the site. According to the Santa Clara County Assessor, the subject property and adjacent Philips Lumileds was acquired by LBA from 370 West Trimble Road Corp. in March 2017. In 2018, the 14-acre subject property was re-zoned through the City of San Jose and as mentioned a Tentative Map reflecting a split from the 68-acre larger parcel and Lumileds facility has been submitted to the City.

Common agricultural practices can result in residual concentrations of fertilizers, pesticides or herbicides in near-surface soil, though not generally at concentrations that pose a significant health risk. It is Partner's opinion that, since the site has been graded, redeveloped, and paved, remaining pesticide or herbicide residues, if any, are likely to have been dispersed during these construction activities and therefore are unlikely to impact human health or the environment.

Partner reviewed a Soil Management Plan (SMP) dated October 2015 prepared by Haley & Aldrich (HA) for the nearby 2509 Orchard Parkway (See Section 4.2.3). This report was obtained from the State Water Resources Control Board GeoTracker online database. This parcel is located approximately 0.30-miles to the south of the subject property and adjacent to the south of the original 68-acre parcel. Historically, this parcel was in use agriculturally with crops or orchards concurrently with and consistent with the subject property. The purpose of the SMP was to identify general requirements and guidelines for the management of soil containing elevated concentrations of arsenic, such that the mitigation measures are protective under the planned commercial land use. Soil samples were analyzed for organochlorine pesticides (OCPs), arsenic, lead, and mercury. Soil samples were collected at the surface and at deeper depths up to 3.5 feet bgs. Analytical results indicated that the pesticide Dieldrin was detected in one of the surface soil samples and was the only OCP detected above a human health screening level. Mercury and lead were detected at levels below environmental screening levels. Arsenic was present at up to 41 milligrams per kilogram (mg/kg). Background levels of arsenic in this area generally range between 11 and 15 mg/kg. HA prepared a human health risk assessment (HHRA) using the data. HA concluded that the future commercial indoor worker, exposure to COPCs in soil may present an unacceptable human health risk if soil at the parcel remains uncovered. The chemical of concern is arsenic to depths of up to 2.5 feet. Exposure to chemicals of concern in soil does not pose unacceptable health risks to the future on-site landscaper under the conditions evaluated. Therefore, no mitigation measures are warranted for the future on-site landscaper. HA proposed that site soil be covered in various ways as a mitigation measure. Mitigation measures to be implemented during construction were also provided. It is Partner's opinion that similar conditions would be present on the subject property and that mitigation measures would be similar.

In summary:

- Soil must be covered to prevent office workers from breathing air blown dust.
- Landscape workers are not expected to be exposed because landscaped materials will be using site soil not impacted with arsenic.
- Typical soil management methods to maintain dust control will be effective for short term construction workers.

4.0 REGULATORY RECORDS REVIEW

4.1 Regulatory Agencies

4.1.1 Health Department

Regulatory Agency Data

Name of Agency:	Santa Clara County Environmental Health Department (SCCEHD)
Point of Contact:	Melissa Belloso
Agency Address:	1555 Berger Drive, Building 2, Suite 300, San Jose, California 95112
Agency Phone Number:	(408) 918-3428
Date of Contact:	October 4, 2018
Method of Communication:	Online (https://www.sccgov.org/sites/deh/about/Pages/Public-Records-Request.aspx)

Summary of Communication:

The subject property's new address is pending, therefore, no records were identified for the subject property. Listings associated with the historical site addresses (350 and 370 West Trimble Road) and current adjacent property are provided below.

SCCEHD provided records including a Hazardous Material Business Plan (2010, 2012), A Hazardous Material Inventory, Annual Underground Storage Tank Certification (2012-2016), Notice of Inspections (2011-2016), Risk Management Plan (2013), and associated correspondences.

According to Spill Reports Website [[https://w3.calema.ca.gov/operational/mal haz.nsf/\\$defaultview](https://w3.calema.ca.gov/operational/mal haz.nsf/$defaultview)] prepared by the California Office of Emergency Services (Cal OES), the following incidents were reported at the adjacent Lumileds property: All incidents were addressed and appropriate responses conducted. Further evaluation is not warranted.

- In November, 2009, facility personnel determined that approximately 170 pounds of ammonia vapor per day had been released at Phillips Lumileds (370 West Trimble Road) through the exhaust stack. Facility personnel discovered that the ammonia had been over-injected for a period of time. No employees or public receptors were affected and the facility made the necessary changes to the process after discovering the issue to prevent reoccurrence. Since the implementation of these corrective measures, the situation has not been repeated and there have been no reportable releases of ammonia from the facility since 2009.
- On March 26, 2010, approximately 2,000-5,000 gallons of fire suppression water and a small amount of foam was used to put out a fire in the dumpster. The dumpster contained regular trash and not hazardous waste. Water drained to the municipal storm drain.
- On March 28, 2010, approximately 1,000 gallons of wastewater was released to the municipal storm drain due to a blockage in the sewer line. Approximately 100 pounds of ammonia was in the wastewater (400-500 milligrams per Liter).
- On June 3, 2010, approximately 100-200 gallons of raw sewage was released to the municipal storm drain due to a sewer main backup.

- On February 13, 2014, one pound of water vapor was released by the unanticipated combustion of hydrogen during the hydrogen diluting process. A couple of grams of Trimethyl Gallium sparked due to operator error.

4.1.2 Fire Department

Regulatory Agency Data

Name of Agency:	San Jose Fire Department (SJFD)
Point of Contact:	N/A
Agency Address:	200 East Santa Clara Street, San Jose, California 95113
Agency Phone Number:	(408) 535-7695
Date of Contact:	October 4, 2018
Method of Communication:	Online (http://www.sjpermits.org/permits/)
Summary of Communication:	

The subject property's new address is pending. Therefore, no records were identified for the subject property.

4.1.3 Air Pollution Control Agency

Regulatory Agency Data

Name of Agency:	Bay Area Air Quality Management District (BAAQMD)
Point of Contact:	Rochelle Reed
Agency Address:	939 Ellis Street, San Francisco, California 94109
Agency Phone Number:	(415) 771-6000
Date of Contact:	October 4, 2018
Method of Communication:	Online (https://cwp-baaqmd.secureprtportal.com/pages/login.aspx)
Summary of Communication:	

The subject property's new address is pending. Therefore, no records were identified for the subject property. Listings associated with the historical site addresses (350 and 370 West Trimble Road) and current adjacent property are provided below.

Air emissions at the Lumileds facility were generated from:

- Vented underground and aboveground storage tanks;
- Three boilers (two rated at 10 million BTU per hour and the third rated at 12.25 million BTU per hour);
- Acid neutralizing processes;
- Four backup electrical generators, rated from 299 to 755 horsepower and a 136-horsepower diesel engine that operates a fire pump;
- Solvent cleaning of manufactured components; and
- Four ammonia storage tanks.

Emissions controls include equipment (such as the use of a catalytic afterburner and a baghouse), limits on hours of operation or throughput, and fuel specifications. These permits do not impact the site.

4.1.4 Regional Water Quality Agency

Regulatory Agency Data

Name of Agency:	San Francisco Bay Regional Water Quality Control Board (RWQCB)
Point of Contact:	N/A
Agency Address:	1515 Clay Street #1400, San Francisco, California 94601
Agency Phone Number:	(510) 622-2300
Date of Contact:	October 4, 2018
Method of Communication:	Online (http://geotracker.waterboards.ca.gov/)
Summary of Communication:	

The subject property's new address is pending. Therefore, no records were identified for the subject property. Listings associated with the historical site addresses and adjacent property are provided below.

A release of diesel fuel occurred due to damaged piping associated with a 12,000-gallon underground storage tank (UST) located outside the southwest corner of Service Building 90 in 2000. The damaged portion of the piping was replaced, and pressure tests of the UST system indicated that no other releases were present. Following remedial activities, the RWQCB issued Case Closed status to the release incident in August 2003 after concluding that the diesel fuel contamination appeared to be localized in the vicinity of the release and that concentrations of residual petroleum appeared to be stable. The location of the UST and affected groundwater are to the west and northwest of the subject property. Based on groundwater flow direction and distance, the impacted soil and groundwater are not likely to impact the subject property.

4.1.5 Department of Toxic Substances Control

Regulatory Agency Data

Name of Agency:	California Department of Toxic Substances Control (DTSC) Envirostor and Hazardous Waste Tracking System (HWTS)
Point of Contact:	N/A
Agency Address:	1001 I Street, Sacramento, California 94601
Agency Phone Number:	(916) 324-1826
Date of Contact:	October 4, 2018
Method of Communication:	Online (http://www.envirostor.dtsc.ca.gov/public/ http://hwts.dtsc.ca.gov/report_search.cfm?id=5)
Summary of Communication:	

The subject property's new address is pending. Therefore, no records were identified for the subject property. Listings associated with the historical site addresses (350 and 370 West Trimble Road) and current adjacent property are provided below.

DTSC Envirostor

The online DTSC Envirostor database identified former tenant, Agilent Technologies (350 and 370 West Trimble Road). The facility is identified as a Tiered Permit facility. The cleanup status is listed as "Inactive-Needs Evaluation." These permits are inactive and Lumileds is the current operator. Inactive status indicates that the DTSC has no activity at this facility.

The DTSC Hazardous Waste Tracking System lists four waste ID Numbers for Lumileds and Avago, and one for LBA Realty for disposal of asbestos containing material. None of the waste was generated onsite.

4.1.6 Planning Department

Regulatory Agency Data

Name of Agency: San Jose Planning Department (SJPD)
Point of Contact: N/A
Agency Address: 200 East Santa Clara Street, San Jose, California 95113
Agency Phone Number: (408) 535-3555
Date of Contact: October 4, 2018
Method of Communication: Online (<http://www.sanjoseca.gov/index.aspx?NID=2037>)
Summary of Communication:

According to records reviewed, the subject property currently is zoned PD-CN (Planned Development Zoned – Commercial Neighborhood) by the City of San Jose.

4.1.7 Oil & Gas Exploration

Regulatory Agency Data

Name of Agency: California Division of Oil, Gas and Geothermal Resources (DOGGR)
Point of Contact: N/A
Agency Address: 801 K Street, MS 18-05, Sacramento, California
Agency Phone Number: (916) 445-9686
Date of Contact: October 4, 2018
Method of Communication: Online (<http://maps.conservation.ca.gov/doggr/index.html#close>)
Summary of Communication:

According to the DOGGR online mapping system, no oil or gas wells are located on or adjacent to the subject property.

4.1.8 Assessor's Office

Regulatory Agency Data

Name of Agency: Santa Clara Assessor (SCA)
Point of Contact: N/A
Agency Address: 70 West Hedding Street, San Jose, California
Agency Phone Number: (408) 299-5500
Date of Contact: October 4, 2018
Method of Communication: Online
Summary of Communication:

According to records reviewed, the subject property is identified by Assessor Parcel Numbers (APNs) 101-020-13 (350 Trimble Road) and 101-020-14 (370 Trimble Road). In 2018, the 14-acre subject property was included in a submittal for mapping to split from the 68-acre greater Lumileds property and create a new, separate commercial parcel that is consistent with the updated zoning boundary. A new site address and APN are pending.

Copies of pertinent documents obtained by Partner from the above-referenced agencies are included in Appendix B.

4.2 Mapped Database Records Search

Information from standard federal, state, county, and city environmental record sources was provided by Environmental Data Resources, Inc. (EDR). Data from governmental agency lists are updated and integrated into one database, which is updated as these data are released. The information contained in this report was compiled from publicly available sources and the locations of the sites are plotted utilizing a geographic information system, which geocodes the site addresses. The accuracy of the geocoded locations is approximately +/-300 feet. Using the ASTM definition of migration, Partner considers the migration of hazardous substances or petroleum products in any form onto the subject property during the evaluation of each site listed on the radius report, which includes solid, liquid, and vapor. A copy of the EDR report is included as **Appendix C**.

4.2.1 Regulatory Database Summary

Radius Report Data				
Database	Search Radius (mile)	Subject Property	Adjacent Properties	Sites of Concern
Federal NPL or Delisted NPL Site	1.00	N	N	N
Federal CERCLIS Site	0.50	N	N	N
Federal CERCLIS-NFRAP Site	0.50	N	N	N
Federal RCRA CORRACTS Facility	1.00	N	N	N
Federal RCRA TSDF Facility	0.50	N	N	N
Federal RCRA Generators Site (LQG, SQG, CESQG)	0.25	N	Y	N
Federal IC/EC Registries	0.50	N	N	N
Federal ERNS Site	Subject Property	N	Y	N
State/Tribal Equivalent NPL	1.00	N	N	N
State/Tribal Equivalent CERCLIS	1.00	N	N	N
State/Tribal Landfill/Solid Waste Disposal Site	0.50	N	N	N
State/Tribal Leaking Storage Tank Site	0.50	N	Y	N
State/Tribal Registered Storage Tank Sites (UST/AST)	0.25	N	Y	N
State/Tribal Voluntary Cleanup Sites (VCP)	0.50	N	Y	N
State/Tribal Spills	0.50	N	N	N
Federal Brownfield Sites	0.50	N	N	N
State Brownfield Sites	0.50	N	N	N
NPDES	Subject Property	Y		
EDR MGP	Varies	N	N	N
EDR US Hist Auto Station	Varies	N	N	N
EDR US Hist Cleaners	Varies	N	N	N

4.2.2 Subject Property

The agency database report obtained from Environmental Data Resources, Inc. (EDR) identified the subject property as:

- **350 West Trimble Road/LBA Realty (EDR ID Number: B26)**, listed at 350 West Trimble Road, is identified in the NPDES, San Jose Hazmat and CIWQS databases. The NPDES is listed as an active stormwater construction permit issued on May 29, 2018. According to LBA, the initial construction permits were applied for using the address the 350 West Trimble Road as a new site address is pending.

For the purposes of this report, listings associated with the Phillips Lumileds Lighting LLC, Lumileds, Hewlett Packard, or Agilent Technologies operations (350 and 370 West Trimble Road) are considered offsite and adjacent to the southwest of the subject property and discussed below in Section 4.2.3.

4.2.3 Adjacent Properties

The EDR Report identified the following facilities adjacent to the subject property:

- **Phillips Lumileds Lighting LLC (EDR ID Number: A1, A8, A12, A14, A17, A18, A33, A34)**, listed at 370 West Trimble Road, is identified in the ICIS, FINDS, ECHO, EMI, HAZNET, Manifest, and RMP databases.
- **Lumileds LLC (EDR ID Number: A2, A4, A7, A10, A11, A13, A15, A28, A36)**, listed at 370 West Trimble Road, is identified in the CRA-LQG, CHMIRS, NPDES, RMP (Risk Management Plan), CERS, CUPA Listings, CIWQS, TRIS, UST, Envirostor, AST, NPDES, CERS Tanks, CERS Haz Waste, and San Jose HAZNET databases. A RMP incident occurred on October 17, 2013 and involved the release of hydrogen to the exhaust system from valves that were supposed to be shut. The most recent review of the RMP listed in the database was conducted by the San Jose Fire Department on May 12, 2015. These listings are not expected to impact the site.
- **Hewlett-Packard (EDR ID Number: A3, B21, B23, B24)**, listed at 350 and 370 West Trimble Road, is identified in the CHMIRS, LUST (case closed), HIST LUST, CERS, HAZNET, SWEEPS UST, SPILLS 90, Envirostor, EMI, CUPA Listings, Manifest, WDS, SEMS-Archive, and RCRA-NonGen databases. CHMIRS incidents were reported on January 11, 1989 (substance not reported) and July 8, 1994 (xylene). Xylene was released to the atmosphere during the shutdown of the incinerator caused by a short circuit. The Spills 90 database listed the contamination source as a water sump adjacent to removed tank. The status is listed as closed. According to the SEMS-Archive, the site (Hewlett-Packard Microwave Semiconductor) does not qualify for the NPL. The facility is identified as having a tiered permit. The facility status is listed as "Inactive-Needs Evaluation." These permits are inactive and Lumileds is the current operator. Inactive status indicates that the DTSC has no activity at this facility. These listings are not expected to impact the site.

- **Facility Name Not Listed (EDR ID Number: A5)**, listed at 370 West Trimble Road, is identified in the CHMIRS database. A CHMIRS incident was reported on June 2, 2010 for a release of raw sewage to the storm drain due to a sewer main line backup. This release is not expected to impact the site.
- **Facility Name Not Listed (EDR ID Number: A6)**, listed at 370 West Trimble Road, is identified in the ERNS database. An ERNS incident was reported on November 11, 2009 for a release of 170 pounds of anhydrous ammonia. Facility personnel discovered that the ammonia had been over-injected for a period of time. No employees or public receptors were affected.
- **Facility Name Not Listed (EDR ID Number: A9)**, listed at 370 West Trimble Road, is identified in the CHMIRS database. A CHMIRS incident was reported on October 17, 2013 for a release of water vapor during hydrogen diluting operations. This release is not expected to impact the site.
- **Facility Name Not Listed (EDR ID Number: A16)**, listed at 370 West Trimble Road, is identified in the CHMIRS database. A CHMIRS incident was reported on April 21, 2013 for a release of wastewater treatment sludge from a tri wall box container to secondary containment. This release is not expected to impact the site.
- **Agilent Technologies (EDR ID Number: A19, A22, A25)**, listed at 350 and 370 West Trimble Road, is identified in the Envirostor, AST, NPDES, LUST (case closed), CHMIRS, ECHO, LUST and FINDS databases. The facility is identified as having a tiered permit. The facility status is listed as "Inactive-Needs Evaluation." These permits remain open. A CHMIRS incident was reported on February 26, 1994 for a release of 1,000 to 2,000-gallons of water with sodium hydroxide occurred when a scrubber overflowed while being cleaned. A CHMIRS incident was reported on July 2, 1994 for a release of 1,500 to 6,000-gallons of water with a pH of 6 to the storm drain. This release is not expected to impact the site.

Based on the findings, vapor migration is not expected to represent a significant environmental concern at this time. Nor do these listings indicate an issue with or have an impact on the subject property.

4.2.4 Site Vicinity

Partner reviewed the EDR database report to identify offsite facilities that have suspected or documented environmental concerns or RECs that may negatively impact the subject property. Partner's criteria for further evaluating the potential impact of a listed offsite facility are summarized below:

- The listed offsite facility is documented or assumed to be hydrogeologically up-gradient and a likely pathway exists for known releases of environmentally mobile contaminants to reach the subject property; or, contaminants from the listed offsite facility can reach the subject through other pathways (i.e., surface runoff); and,
- The offsite facility is listed as an open case on one of the following databases: Federal NPL, Federal CORRACTS, Federal CERCLIS, Federal ERNS, and State-Specific lists including, but not

limited to State Hazardous Waste Sites, State SCL, State LUST, State Deed Restrictions, State Toxic Pits, Landfill (excluding transfer stations); or

- The facility is a known or suspected concern based on Partner's experience or observations made during the site reconnaissance. (i.e., Dry-cleaning operations that may or may not be listed as RCRA-SQG or a non-adjacent UST site that appears to have a remediation system in place).

Partner identified the following facilities that, using the criteria discussed above, appeared to be a potential concern.

- **Orchard Parkway Phase II (EDR ID Number: E38)** is listed at 2503 Orchard Parkway, approximately 0.30 miles southeast and hydrologically cross to up-gradient of the subject property. This site is identified on the SLIC databases. According the EDR report and available GeoTracker documents, soil sampling data collected at the site reported lead, arsenic, and organochlorine pesticides thought to be associated with previous agricultural land use (see below). The SLIC status is listed as "Open - Verification Monitoring." This parcel remains vacant land. Based on the regulatory status and lack of listings in other databases indicating violations and/or a release, this listing is not considered to have created an environmental concern to the subject property.
- **Orchard Parkway Holdings/Legacy on 101 (See GeoTracker/ EDR ID Number: E37)** is listed with an address of 2509 Orchard Parkway, approximately 0.30 miles southeast and hydrologically cross to up-gradient of the subject property. This parcel is adjacent to the west of 2503 Orchard Parkway discussed above. This site is identified on the SLIC, CUPA Listings, NPDES, CERS, and CIWQS databases. This property is developed with a commercial building. According the Soil Management Plan (SMP) dated October 2015 prepared by Haley & Aldrich (HA) for 2509 Orchard Parkway downloaded from GeoTracker, soil sampling data collected at the site reported lead, arsenic, and organochlorine pesticides thought to be associated with previous agricultural land use. The following OCPs were detected in one or more samples at or above laboratory reporting limits:

Dieldrin; 4,4'-DDT; 4,4'-DDE; 4,4'-DDD; Toxaphene; and alpha-Chlordane. Of these, only Dieldrin exceeded an applicable environmental screening level based on human toxicity in one surface sample. A deeper sample analyzed at that location had a Dieldrin concentration approximately 100 times less. Lead was not detected above applicable environmental screening levels. Mercury was detected above the DTSC-modified RSL value for mercury of 3.9 mg/kg., but at or below the ESL value for mercury of 10 mg/kg. Arsenic was detected in two locations at 40 to 41 mg/kg, in one location at 13 to 18 mg/Kg.

In order to minimize exposure pathways (direct contact and inhalation), native soil should be covered. On October 9, 2015, the SMP prepared by Haley & Aldrich, Inc. was approved by the CSCDEH. Monthly visual assessment of the hydraulic mulch cover, will be performed to ensure the exposure pathways are minimized. The SLIC status is listed as "Completed-Case Closed" as of April 12, 2017. Based on the regulatory status and lack of listings in other databases indicating

violations and/or a release, this listing is not considered to have created an environmental concern to the subject property.

4.2.5 Unmapped Sites

Partner reviewed EDR's Orphan Summary, which is a listing of sites that have not been geocoded based on lack of sufficient data regarding their exact location within the general area. The subject property was not identified as an Unmapped Site. None of the Unmapped Sites identified on the Orphan Summary appear to be located within the ASTM-designated radii of the subject property, and therefore, Partner has no reason to believe that these sites had an impact on the subject property.

4.3 Vapor Encroachment Screening

As part of this ESA, Partner conducted a Tier 1 Vapor Encroachment Screening (VES), in general accordance with the procedures included in ASTM E2600-10, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*. The purpose of the VES was to evaluate whether a potential vapor encroachment condition (pVEC) exists on the subject property. This screening was undertaken through the use of applicable information collected during the ESA, including existing/planned use of the site, type of structures on the site, surrounding property description, regulatory database review, man-made and natural conduits that can provide a potential path for vapor migration, use information, historical and physical records review, and a visual non-invasive reconnaissance of the site and observation of adjoining properties from publicly accessible rights of way. Limiting conditions, ASTM deviations, and significant gaps, if any, are discussed in **Sections 1.3** and **1.5**.

Based on a review of previous reports, agency records, and current site observations, no onsite sources with the potential to have created a vapor encroachment condition to the subject property were identified (see Section 5.2.6).

Based on Partner's review of the agency database report obtained from EDR no offsite properties with the potential to have created a vapor encroachment condition to the subject property were found.

Based on the physical setting of the subject property, the current and planned use of the subject property, and the findings from historical and regulatory records review, a VEC was not identified in association with the subject property and further assessment is not warranted at this time.

5.0 USER PROVIDED INFORMATION AND INTERVIEWS

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the Brownfields Amendments), the User must provide the following information (if available) to the environmental professional. Failure to provide this information could result in a determination that all appropriate inquiry is not complete. The user is asked to provide information or knowledge of the following:

- Environmental cleanup liens that are filed or recorded against the site.
- Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry.
- Specialized knowledge or experience of the person seeking to qualify for the LLPs.
- Relationship of the purchase price to the fair market value of the *property* if it were not contaminated.
- Commonly known or *reasonably ascertainable* information about the *property*.
- The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate assessment.
- The reason for preparation of this Phase I ESA.

Fulfillment of these user responsibilities is key to qualification for the identified defenses to CERCLA liability. Partner requested our Client to provide information to satisfy User Responsibilities as identified in Section 6 of the ASTM guidance.

5.1 Interviews

5.1.1 Interview with Owner

Interviews with a representative of the owner of the subject property since 2017, identified as LBA RVI-Company I LP, were conducted.

5.1.2 Interview with Report User

Please refer to Section 5.2 below for information requested from the Report User.

5.1.3 Interview with Key Site Manager

See 5.1.1.

5.1.4 Interviews with Past Owners, Operators and Occupants

See 5.1.1. Interviews with past owners, operators and occupants prior to 2017 were not conducted since information regarding the potential for contamination at the subject property was obtained from other sources.

5.1.5 Interview with Others

As the subject property is not an abandoned property as defined in ASTM 1527-13, interview with others were not performed.

5.2 User Provided Information

5.2.1 Title Records, Environmental Liens, and AULs

At the request of the owner, Partner obtained an Environmental Lien and Activity and Use Limitations (AUL) report for APN 101-02-013 prepared by AFX Research, LLC (AFX) dated October 4, 2018.

AFX reported ownership listed as LBA RV1-Company 1, LP. No environmental liens or AULs were listed. A copy is included in Appendix B.

5.2.2 Specialized Knowledge

No specialized knowledge of environmental conditions associated with the subject property was provided by the User at the time of the assessment.

5.2.3 Actual Knowledge of the User

No actual knowledge of any environmental lien or AULs encumbering the subject property or in connection with the subject property was provided by the User at the time of the assessment.

5.2.4 Valuation Reduction for Environmental Issues

No knowledge of valuation reductions associated with the subject property was provided by the User at the time of the assessment.

5.2.5 Commonly Known or Reasonably Ascertainable Information

The User did not provide information that is commonly known or *reasonably ascertainable* within the local community about the subject property at the time of the assessment.

5.2.6 Previous Reports and Other Provided Documentation

The following information was provided to Partner for review during the course of this assessment:

Phase I Environmental Site Assessment, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California, URS Corporation (October 28, 2014)

Phase II Environmental Site Investigation, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California, URS Corporation (December 2, 2014)

Phase I Environmental Site Assessment, Trimble, 350 and 370 West Trimble Road, San Jose, California 95131, Partner Engineering and Science, Inc., (February 21, 2017)

The subject property was formerly part of Phillips Lumileds facility and was developed with paved parking areas and driveway. For the purposes of this report, manufacturing operations associated with the Phillips Lumileds Lighting LLC, Lumileds, Hewlett Packard, or Agilent Technologies operations (350 and 370 West Trimble Road) are considered offsite and adjacent to the southwest of the subject property. Previous environmental reports associated with the Philips Lumileds and former occupant operations are summarized below.

In October 2014, URS conducted a Phase II Site Investigation to identify soil and groundwater conditions at the following areas of the larger parcel: diesel UST area, solvent unloading area, wastewater treatment, other process areas, surficial soil, and perimeter groundwater. Twelve soil borings with 2 samples collected per boring, eight groundwater samples, and 15 surface soil samples were conducted. A total of 39 soil samples and 20 groundwater samples were submitted for analyses. Three of the surface soil samples were collected upwind of the bag house.

Sample analytical results were compared to Environmental Screening Levels (ESLs) established by the San Francisco Bay Regional Water Quality Control Board (December 2013).

Analytical results for the site indicated:

Subsurface Soil Samples: Arsenic was identified in 15 of 18 subsurface soil samples on the larger property collected from depths of 4.5 feet to 19 feet below the surface at an average and maximum concentration of 5.58 mg/kg and 22 mg/kg, respectively. Samples PLSB-6 (6.6 mg/kg), PLSB-9 (7.3 mg/kg), and PLSB-10 (8 mg/kg) were collected from 10 to 19 feet bgs onsite. URS concluded that these concentrations appeared to be consistent with background concentrations identified in prior regional studies and no further investigation was warranted. One groundwater sample (Sample PLSB-5) collected from the site contained an arsenic concentration of 24 µg/L, above the 10 µg/L maximum contaminant levels (MCLs) and ESL for groundwater used as drinking water, but below the 36 µg/L ESL for groundwater not used as a drinking water source. Arsenic was not identified in the remaining seven groundwater samples from process areas of the Lumileds facility. Based on these data, URS concluded that no additional investigation of arsenic in groundwater appears to be warranted.

Shallow Surficial Soil Samples: Three surface soil samples (3" below ground surface (bgs)) in areas of the larger site identified as predominantly upwind or crosswind of the baghouse contained arsenic concentrations of 9.3 mg/kg, 6.7 mg/kg, and 8.0 mg/kg (offsite Samples SS-1, SS-2, and SS-3). These samples were used to define background concentrations. Samples collected downwind of the baghouse contained arsenic concentrations ranging from 7.4 mg/kg to 36 mg/kg, with an average concentration of 14.7 mg/kg. Onsite Samples SS-5 (23 mg/kg), SS-8 (12 mg/kg), and SS-9 (14 mg/kg) were collected downwind of the baghouse. No actions were recommended as the average concentrations were consistent with background.

Groundwater Samples: Perimeter groundwater samples (onsite samples PLPB-5 and PLPB-6) were collected on the subject property. No VOCs, or SVOCs, were detected in these onsite samples. Zinc was the only metal detected above RL, but was below the ESL and the MCL. Samples from the larger property were below levels for groundwater not used as a drinking water source. Based on these results, URS concluded that no additional investigation of groundwater in the perimeter of the subject property appeared to be warranted.

In 2017, Partner completed a Phase I ESA for the 68-acre parcel. Phillips Lumileds occupied the facility. Lumileds's manufacturing processes required the use of ammonia for the production of light-emitting diodes (LEDs). A Bulk Ammonia Storage Area was located south of Building 91 on the far western portion of the Lumileds facility.

In 2005, Lumileds applied for a permit amendment to expand ammonia storage. As part of the review process, a worst case release scenario was calculated under a hypothetical accidental gas line break that would release approximately 5,100 liters (or 8 pounds) of ammonia per minute for a period of up to 55 hours (the time required to empty a 26,400-pound gas container). The calculated distance to the "toxic endpoint" (defined as the distance a vapor cloud will travel before dissipated to the point that serious injuries from short-term exposures will no longer occur), is less than 0.1 miles or 528 feet from the bulk ammonia storage area, the shortest distance that can be calculated by this air dispersion model. In addition, the model does not take into account the control and mitigation measures incorporated into the Lumileds design, installation and operation of this system; accordingly, this calculated hypothetical scenario conservatively, and overestimates risk. The Planning Commission determined that the increased ammonia storage would not have a negative impact on the intended use of adjacent properties and that the potential risks have been appropriately addressed. The subject property is located well outside the release scenario endpoint.

As a result of the City's approval for an expanded facility, the current Ammonia Storage Area includes an 18,000-gallon hydrogen bulk storage tank, and four anhydrous ammonia tanks, each with a capacity of 26,400 pounds. The tanks are trailer-mounted and new tanks are brought in by truck once the existing tanks are exhausted. Two granular activated carbon vessels (GAC) are located adjacent to the ammonia storage area. The GAC vessels are intended to mitigate ammonia in the event of a leak.

The facility uses and stores, and has been using and storing for approximately 27 years, a range of industrial gases (including nitrogen, hydrogen, chlorine and anhydrous ammonia) as part of their manufacturing process. The following four components make up the gas storage and handling systems:

1. A covered and fenced outside storage area for storage of up to four 26,400-pound anhydrous ammonia containers built to International Organization for Standardization (ISO) specifications.
2. Associated gas distribution systems built to the satisfaction of the Fire Chief, that included among other elements, an excess flow valve to stop outflow from the gas manifold when the flow exceeds a specified 100 pounds per square inch gauge pressure (psig) value, and a reduced flow orifice, which would allow a "worst case" flow rate of 8.02 pounds per minute.
3. Gas detection systems consisting of gas detection equipment connected to alarms and automatic shut-offs at container valves, at the connections to the high-pressure control (gas) manifold, and manual valve manifold box, all installed and maintained to the satisfaction of the Fire Chief, and
4. Emergency dry scrubber abatement systems installed and maintained to the satisfaction of the Fire Chief using activated carbon/alumina media. The treatment capacity of the emergency dry scrubber abatement system is sized to handle the worst-case release flow of 8.02 pounds per minute and were installed and maintained to the satisfaction of the Fire Chief.

In addition to the engineering controls, this facility maintains an on-site emergency response team trained and equipped to deal with a failure of the containment 24 hours a day, 7 days a week. Along with other tasks, the team has been trained by the manufacturer on how to install the emergency containment cap to contain any leaks from the valve assembly at the top of the tank.

The containers are pre-filled and delivered by truck to the site. The containers are designed and constructed to meet ISO standards for pressurized vessels used to transport hazardous materials. Standards include the use of steel plate with a minimum thickness, mounting of all valves on top of the container, placement of operating valves inside a recessed valve box and fiberglass shields on each end of the container to protect the inner pressure vessel, which provide rollover and impact protection for the tank. Bollards have been installed at intervals in the areas around the bulk ammonia containers in the gas vault to protect them from potential impacts from vehicles.

The ammonia containers are transported to the site directly from the manufacturer by truck on low chassis flatbed trailers. Transportation is regulated under the Federal Hazardous Materials Transportation Law. Once delivered, the containers, still on the flatbed trailers, are connected to the production systems. The empty containers are removed from the site via the same truck.

Storage of hazardous material in the City of San Jose is strictly regulated under a variety of local, state and federal regulations. The bulk storage facility must comply with San Jose Fire Code, Toxic Gas Ordinance and the Hazardous Materials Storage Ordinance. A Hazardous Materials Management Plan and Evacuation Plan for the site are on file at the site and with the City of San Jose Fire Department. The site is also subject to review and regulation under both the Federal Risk Management Plan and California Accidental Release Prevention (CalARP) Program. The County of Santa Clara Department of Environmental Health reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA) and the City of San Jose is the local implementing agency.

Additionally, regulatory programs are in place at the site to minimize the chance for unintended releases. These include: Hazardous Waste Operations and Emergency Response administered by Occupational Safety and Health Administration (OSHA), Hazardous Materials Storage Ordinance administered by the Fire Department and Flammable and Combustible Liquids Code administered by the National Fire Protection Association, Risk Management and Prevention Program.

Review of the Lumileds Risk Management Plan and agency safety requirements indicates that the facility is well managed and controlled and following all current regulatory programs. Lumileds has not had any reportable releases of ammonia except in November 2009 when facility personnel determined that approximately 170 pounds of ammonia vapor per day had been released through the exhaust stack. Facility personnel discovered that the ammonia had been over-injected for a period of time. No employees or public receptors were affected and the facility made the necessary changes to the process after discovering the issue to prevent reoccurrence. Since the implementation of these corrective measures, the situation has not been repeated and there have been no reportable releases of ammonia from the facility since 2009.

Copies of previous reports reviewed are included in Appendix B.

6.0 SITE RECONNAISSANCE

The weather at the time of the site visit was overcast. Refer to Section 1.5 for limitations encountered during the field reconnaissance and Sections 2.1 and 2.2 for subject property operations. The table below provides the site assessment details:

Site Assessment Data

Site Assessment Performed By:	Mr. Erik Brown
Site Assessment Conducted On:	October 3, 2018

Partner was unaccompanied during site reconnaissance activities. The subject property is vacant land and paved parking areas. No potential environmental concerns were identified during the onsite reconnaissance.

6.1 General Site Characteristics

6.1.1 Solid Waste Disposal

Solid waste generated at the subject property is disposed in a commercial dumpster located in the parking area on the western portion of the subject property. An independent solid waste disposal contractor, GW Debris Services, removes solid waste from the subject property. Solid waste generated at the subject property is limited to construction wastes. No evidence of illegal dumping of solid waste was observed during the Partner site reconnaissance.

6.1.2 Sewage Discharge and Disposal

No sanitary discharges are currently generated at the subject property. No wastewater treatment facilities or septic systems are located on the subject property.

6.1.3 Surface Water Drainage

Storm water is removed from the subject property primarily by sheet flow action across the paved surfaces towards storm water drains located in the parking area of the subject property, or by percolation into the ground. The subject property is connected to a municipal owned and maintained sewer system.

The subject property does not appear to be a designated wetland area, based on information obtained from the United States Department of Agriculture. A comprehensive wetlands survey would be required in order to formally determine actual wetlands on the subject property. No surface impoundments, wetlands, natural catch basins, settling ponds, or lagoons are located on the subject property. No drywells were identified on the subject property.

6.1.4 Source of Heating and Cooling

No active heating or cooling systems, or domestic hot water equipment, are located at the subject property. Pacific Gas & Electric Company (PG&E) provides electricity and natural gas service to the subject property vicinity.

6.1.5 Wells and Cisterns

No aboveground evidence of wells or cisterns was observed during the site reconnaissance.

6.1.6 Wastewater

Domestic wastewater is not currently generated at the subject property. No industrial process is currently performed at the subject property.

6.1.7 Septic Systems

No septic systems were observed or reported on the subject property.

6.1.8 Additional Site Observations

No additional general site characteristics were observed during the site reconnaissance.

6.2 Potential Environmental Hazards

6.2.1 Hazardous Substances and Petroleum Products Used or Stored at the Site

No hazardous substances or petroleum products were observed on the subject property during the site reconnaissance.

6.2.2 Aboveground & Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs/USTs)

No evidence of current or former ASTs or USTs was observed during the site reconnaissance.

6.2.3 Evidence of Releases

No spills, stains or other indications that a surficial release has occurred at the subject property were observed.

6.2.4 Polychlorinated Biphenyls (PCBs)

No potential PCB-containing equipment (transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, etc.) was observed on the subject property during Partner's reconnaissance.

6.2.5 Strong, Pungent or Noxious Odors

No strong, pungent or noxious odors were evident during the site reconnaissance.

6.2.6 Pools of Liquid

No pools of liquid were observed on the subject property during the site reconnaissance.

6.2.7 Drains, Sumps and Clarifiers

No drains, sumps, or clarifiers, other than those associated with storm water removal, were observed on the subject property during the site reconnaissance.

6.2.8 Pits, Ponds and Lagoons

No pits, ponds or lagoons were observed on the subject property.

6.2.9 Stressed Vegetation

No stressed vegetation was observed on the subject property.

6.2.10 Additional Potential Environmental Hazards

No additional environmental hazards, including landfill activities or radiological hazards, were observed.

6.3 Non-ASTM Services

6.3.1 Asbestos-Containing Materials (ACMs)

No permanent structures are located on the subject property; therefore, no suspect ACMs were observed on the subject property.

6.3.2 Lead-Based Paint (LBP)

No permanent structures are located on the subject property; therefore, no LBP was observed on the subject property.

6.3.3 Radon

Radon is a colorless, odorless, naturally occurring, radioactive, inert, gaseous element formed by radioactive decay of radium (Ra) atoms. The US EPA has prepared a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. The map divides the country into three Radon Zones, according to the table below:

EPA Radon Zones

EPA Zones	Average Predicted Radon Levels	Potential
Zone 1	Exceed 4.0 pCi/L	Highest
Zone 2	Between 2.0 and 4.0 pCi/L	Moderate
Zone 3	Less than 2.0 pCi/L	Low

It is important to note that the EPA has found homes with elevated levels of radon in all three zones, and the US EPA recommends site-specific testing in order to determine radon levels at a specific location. However, the map does give a valuable indication of the propensity of radon gas accumulation in structures.

Radon sampling was not conducted as part of this assessment. Review of the US EPA Map of Radon Zones places the subject property in Zone 2. Based upon the radon zone classification and proposed commercial use, radon is not considered to be a significant environmental concern.

6.3.4 Lead in Drinking Water

According to available information, a public water system operated by the City of San Jose serves the subject property vicinity. The City of San Jose purchases water from the San Jose Water Company, who obtains water from local mountain surface water, groundwater from the Santa Clara Groundwater Sub-Basin, and imported surface water from the Santa Clara Valley Water District. The 2017 Water Quality Report indicates the subject property is in compliance with all State and Federal regulations pertaining to

drinking water standards, including lead and copper. Water sampling was not conducted to verify water quality.

6.3.5 Microbial Growth

Microbial growths are microscopic organisms found virtually everywhere, indoors and outdoors. Microbial growths will grow and multiply under the right conditions, needing only sufficient moisture (e.g. in the form of very high humidity, condensation, or water from a leaking pipe, etc.) and organic material (e.g., ceiling tile, drywall, paper, or natural fiber carpet padding).

No buildings or structures are located on the subject property. As such, a microbial growth evaluation was not required by the scope of services.

7.0 FINDINGS AND CONCLUSIONS

Findings

A *REC* refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment.

- Partner did not identify recognized environmental conditions during the course of this assessment.

A *CREC* refers to a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. The following was identified during the course of this assessment:

- Partner did not identify controlled recognized environmental conditions during the course of this assessment.

A *HREC* refers to a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The following was identified during the course of this assessment:

- Partner did not identify historical recognized environmental conditions during the course of this assessment.

An *environmental issue* refers to environmental concerns identified by Partner, which do not qualify as RECs; however, warrant further discussion. The following was identified during the course of this assessment:

- During previous investigations conducted at the property, arsenic was identified in subsurface soil samples at an average and maximum concentration of 5.58 mg/kg and 22 mg/kg, respectively. These concentrations appeared to be consistent with background concentrations identified in prior regional studies. Based on the proposed redevelopment of portions of the subject property for future mixed use of retail, office, and hotel/office, additional sampling for arsenic, metals, and organochlorine pesticides does not appear to be warranted for future soil management.

Conclusions, Opinions and Recommendations

Partner has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 of the property located at the southwest corner of Trimble Road and Orchard Parkway in the City of San Jose, Santa Clara County, California (the "subject property"). Any exceptions to or deletions from this practice are described in Section 1.5 of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property. Environmental issues as described above were identified. Based on the conclusions of this assessment, Partner recommends the following:

- Follow the existing Soil Management Plan (SMP) to mitigate soil and dust impacted with arsenic during construction activities.

8.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Partner has performed a Phase I Environmental Site Assessment of the property located at the southwest corner of Trimble Road and Orchard Parkway in the City of San Jose, Santa Clara County, California in general conformance with the scope and limitations of the protocol and the limitations stated earlier in this report. Exceptions to or deletions from this protocol are discussed earlier in this report.

By signing below, Partner declares that, to the best of our professional knowledge and belief, we meet the definition of *Environmental Professional* as defined in §312.10 of 40 CFR §312. Partner has the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the subject *property*. Partner has developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Copies of the resumes of those involved in the preparation of this report are provided in **Appendix D**.

This report has been prepared, under the responsible charge of the Environmental Professional identified below, by:

Prepared By:

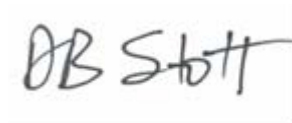


Erik Brown
Environmental Professional



Heather Hodgetts
Environmental Professional

Reviewed by:



Debbie Stott, P.G.
Technical Director

9.0 REFERENCES

American Society for Testing and Materials, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM Designation: E1527-13.

Arcadis Geraghty & Miller, Inc. (AGM), *Phase I Environmental Site Assessment, Hewlett-Packard Company, 350 West Trimble Road, San Jose, California*, October 29, 1999.

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URS Corporation, *Environmental Compliance Assessment, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California*, October 28, 2014.

URS Corporation, *Health & Safety Compliance Assessment, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California*, October 28, 2014.

URS Corporation, *Phase II Environmental Site Investigation, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California*, December 2, 2014

URS Corporation, *Asbestos Survey, Philips Lumileds, 350 and 370 West Trimble Road, San Jose, California*, January 29, 2015.

FIGURES

- 1 SITE LOCATION MAP**
- 2 SITE PLAN**
- 3 TOPOGRAPHIC MAP**

APPENDIX A: SITE PHOTOGRAPHS

APPENDIX B: HISTORICAL/REGULATORY DOCUMENTATION

**APPENDIX C: REGULATORY DATABASE REPORT/VAPOR
ENCROACHMENT SCREEN**

APPENDIX D: QUALIFICATIONS

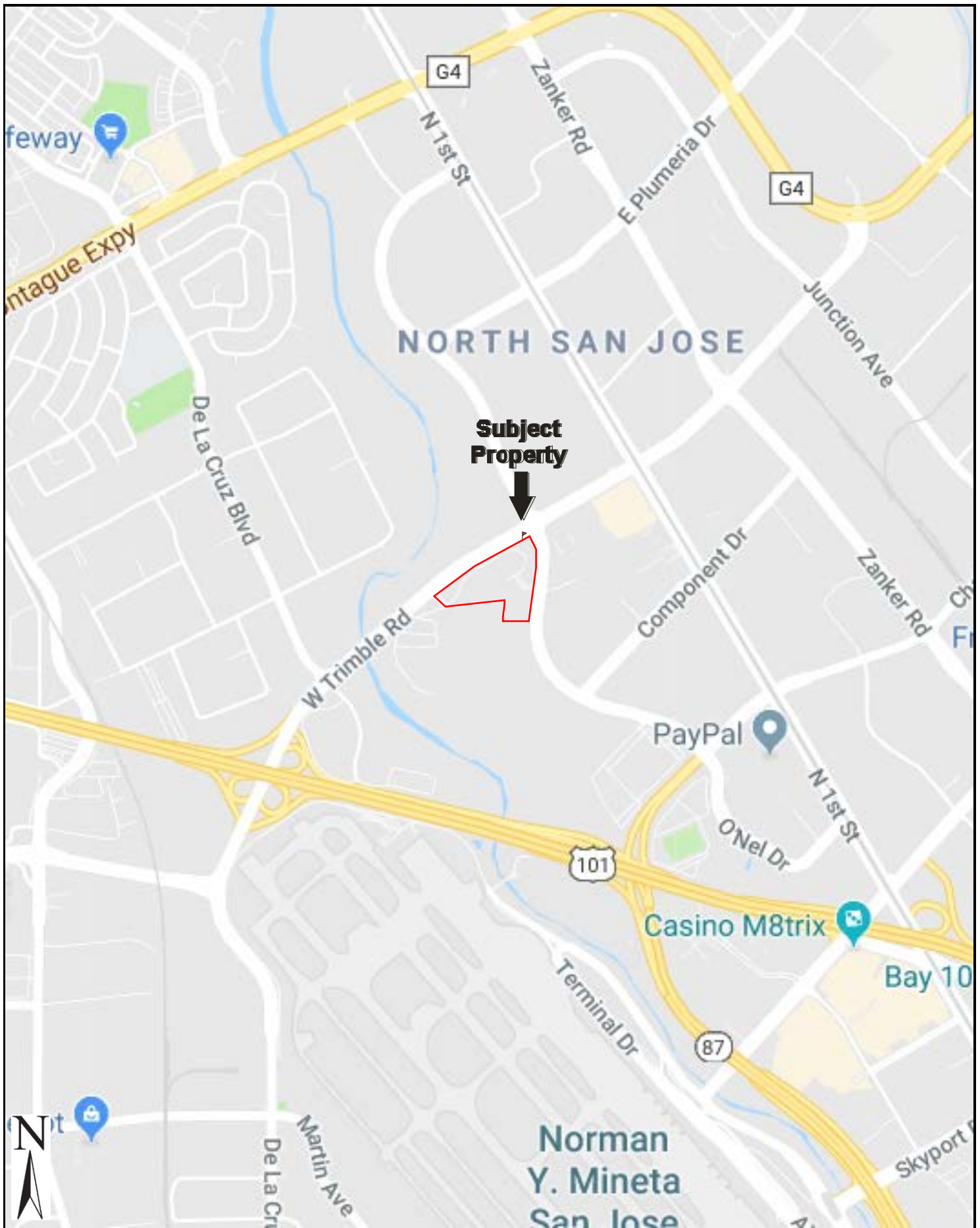
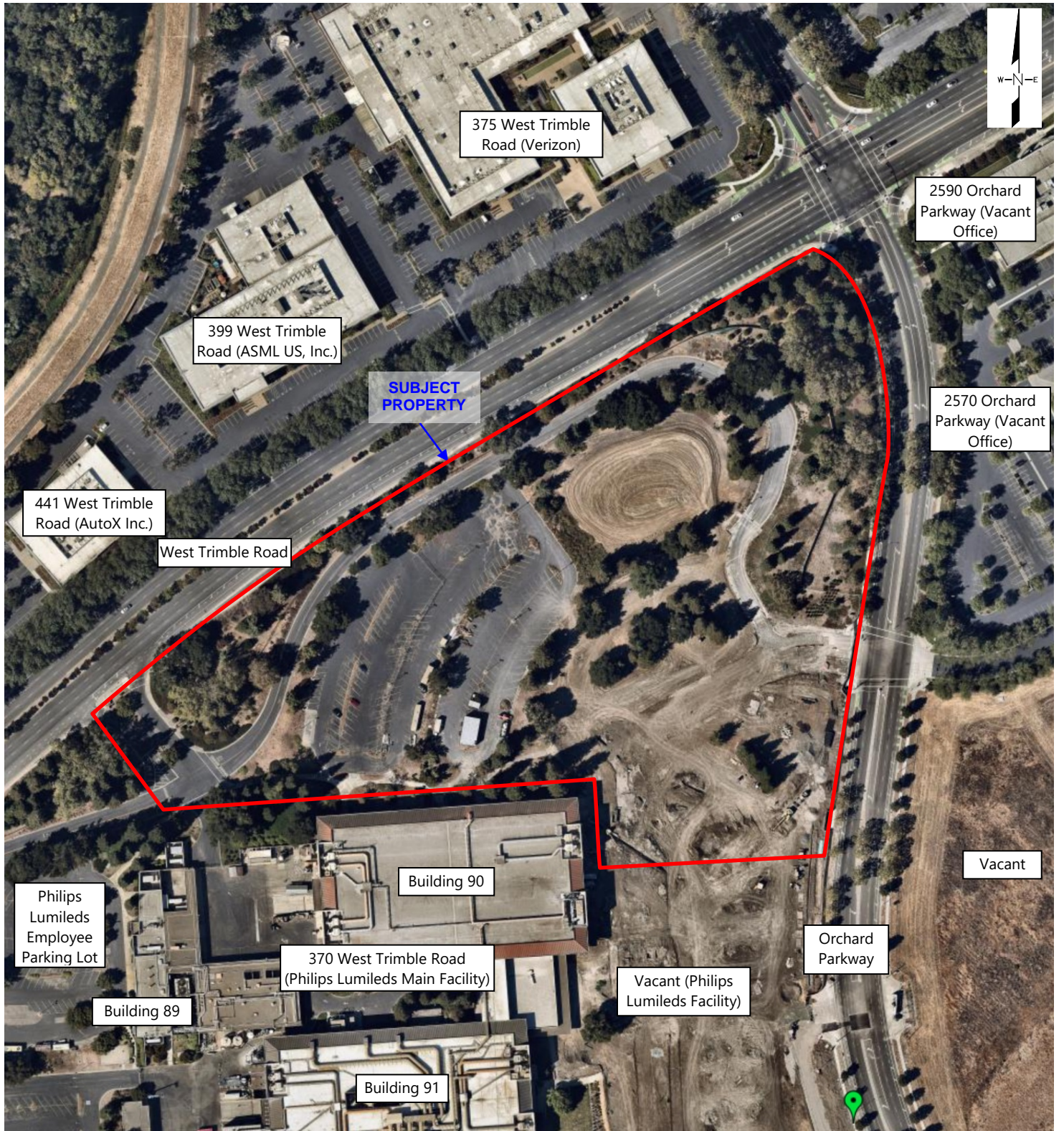


FIGURE 1: SITE LOCATION MAP
Project No. 18-227354.1

Drawing Not To Scale





SITE PLAN

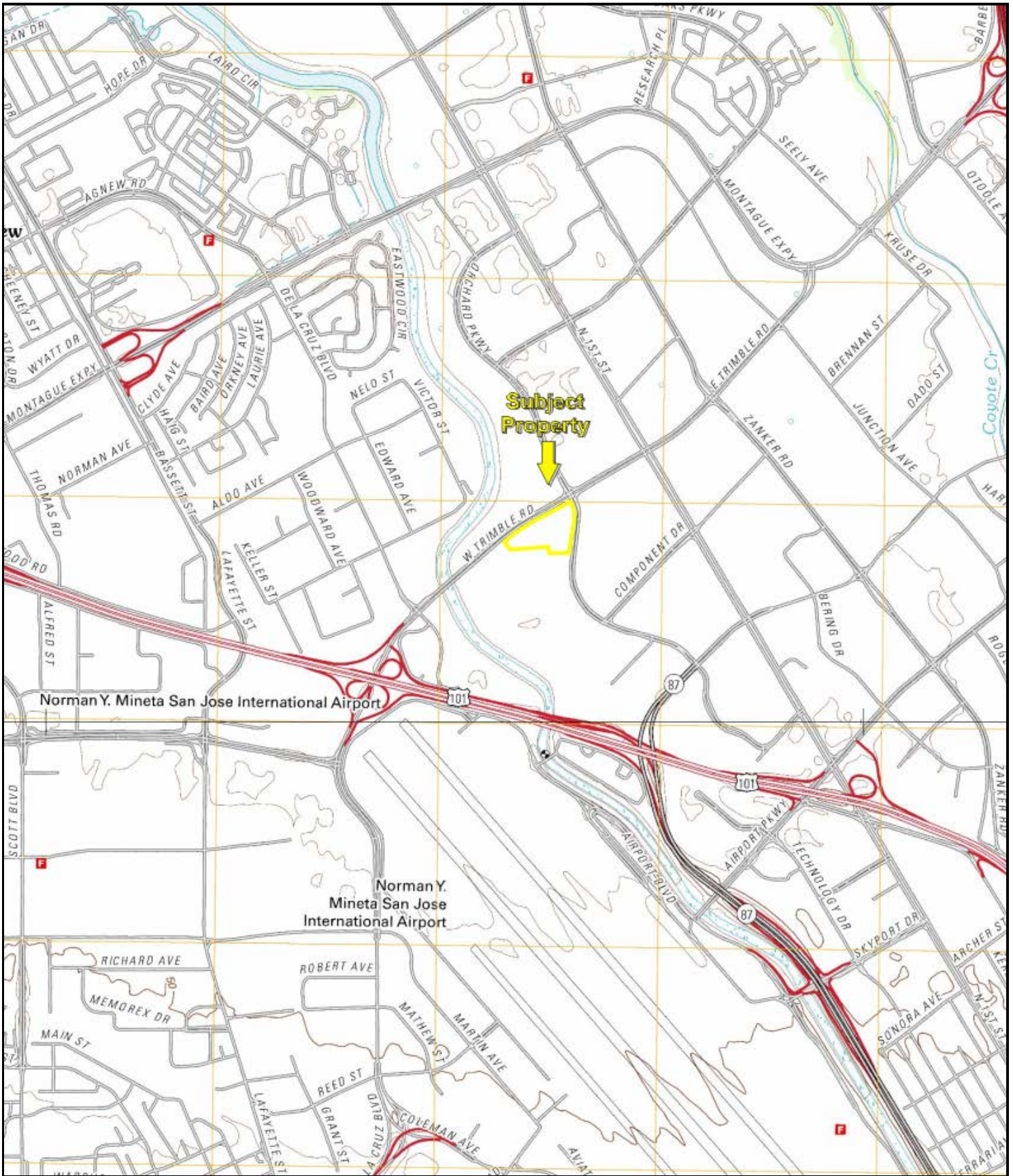
**Lumileds Out Parcel
Trimble Road and Orchard Parkway
San Jose, California 95131**

PARTNER

Partner Job No.: 18-227354.1

Date: October 2018

FIGURE 3



USGS 7.5 Minute Milpitas and San Jose West, California Quadrangles
 Created: 2012

KEY:
 Subject Property 

FIGURE 3: TOPOGRAPHIC MAP
 Project No. 18-227354.1



1. View of the southwestern entrance to the subject property from West Trimble Road



2. View of the parking area on the western portion of the subject property



3. View of the parking area on the western portion of the subject property, used as a construction staging area



4. View of a construction field trailer on the parking lot



5. View of a solid waste dumpster



6. View of graded land on the northeastern portion of the subject property



7. View of graded land on the northeastern portion of the subject property



8. View of graded land on the northeastern portion of the subject property



9. View of the construction entrance to the subject property from Orchard Parkway to the east



10. View of the construction entrance to the subject property from Orchard Parkway to the east



11. View of the southeastern portion of the subject property



12. View of the southeastern portion of the subject property



13. View of the southeastern portion of the subject property



14. View of West Trimble Road adjacent to the north, with commercial buildings beyond



15. View of the southeastern portion of the Lumileds building to the southwest of the subject property, currently being renovated



16. View of the current LBA Realty property to the south of the subject property, currently under construction



17. View of a vacant commercial building adjacent to the southeast of the subject property



18. View of vacant land adjacent to the southeast of the subject property

APPENDIX A: SITE PHOTOGRAPHS

Project No. 18-227354.1

PARTNER



Lumileds Out Parcel

370 W Trimble Rd

San Jose, CA 95131

Inquiry Number: 5435312.8

September 26, 2018

The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Site Name:

Lumileds Out Parcel
370 W Trimble Rd
San Jose, CA 95131
EDR Inquiry # 5435312.8

Client Name:

Partner Engineering and Science, Inc.
2154 Torrance Blvd, Suite 200
Torrance, CA 90501-0000
Contact: Colleen Tubridy



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
1939	1"=500'	Flight Date: July 31, 1939	USDA
1948	1"=500'	Flight Date: September 26, 1948	USDA
1950	1"=500'	Flight Date: April 01, 1950	USDA
1956	1"=500'	Flight Date: June 09, 1956	USDA
1963	1"=500'	Flight Date: June 23, 1963	EDR Proprietary Aerial Viewpoint
1968	1"=500'	Flight Date: June 14, 1968	USGS
1974	1"=500'	Flight Date: June 06, 1974	USGS
1982	1"=500'	Flight Date: July 05, 1982	USDA
1993	1"=500'	Acquisition Date: June 12, 1993	USGS/DOQQ
1998	1"=500'	Flight Date: August 27, 1998	USDA
2006	1"=500'	Flight Year: 2006	USDA/NAIP
2009	1"=500'	Flight Year: 2009	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2016	1"=500'	Flight Year: 2016	USDA/NAIP

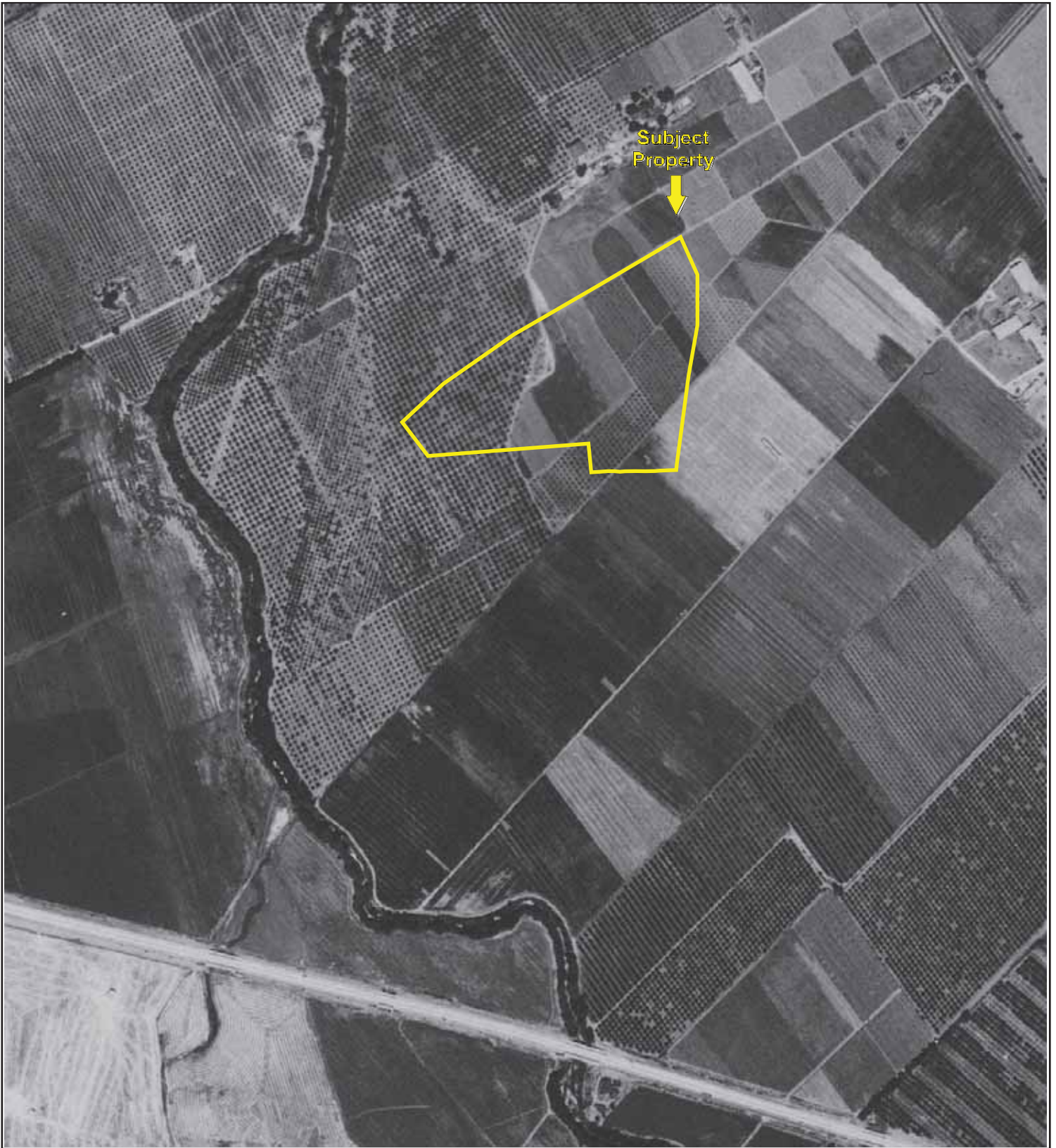
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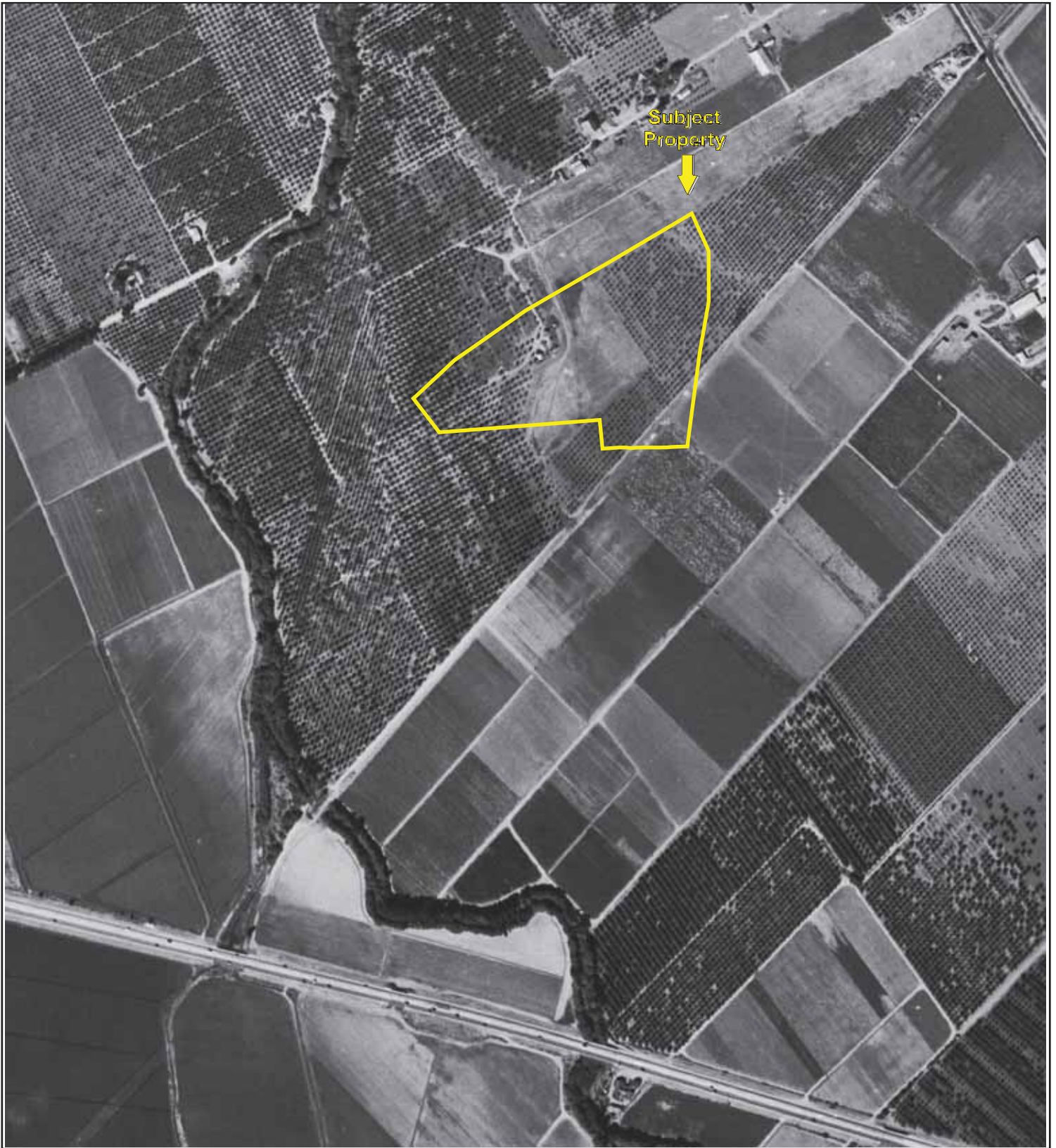
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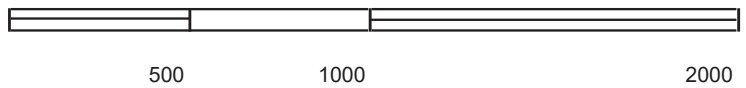
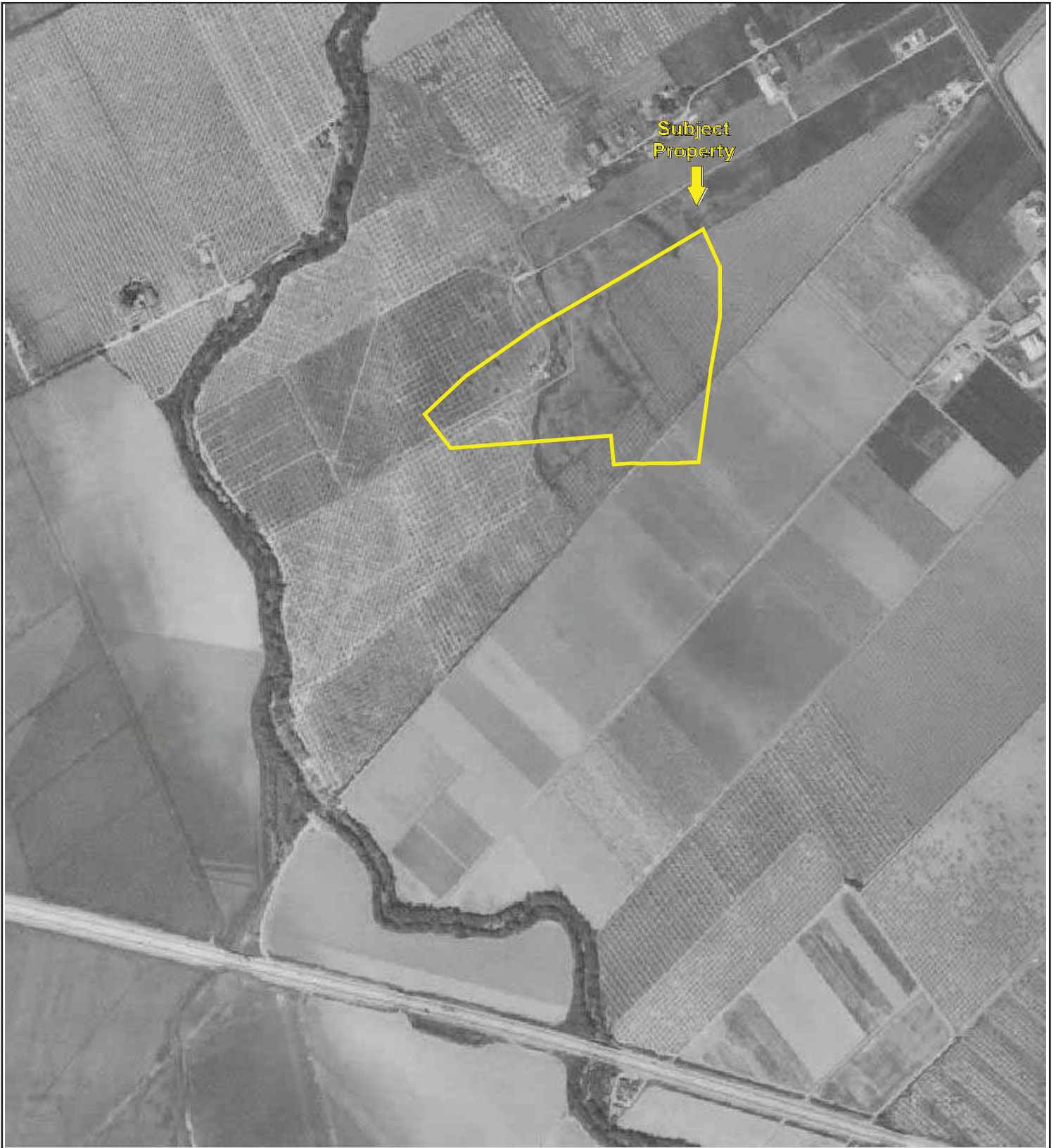
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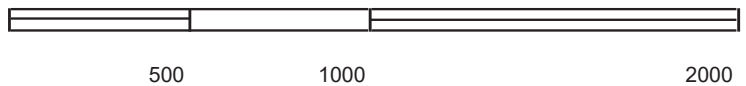
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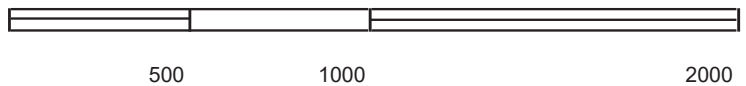
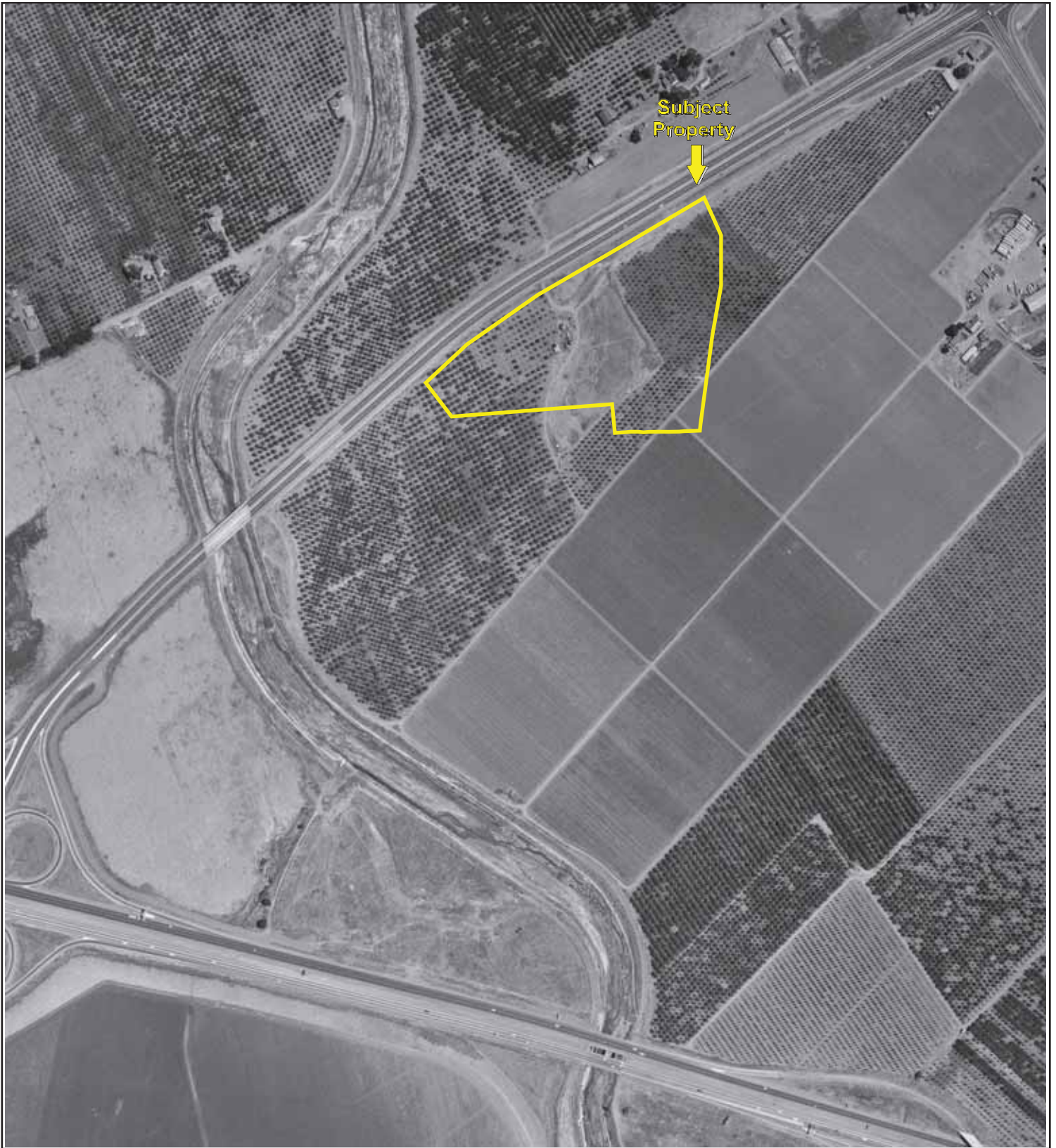
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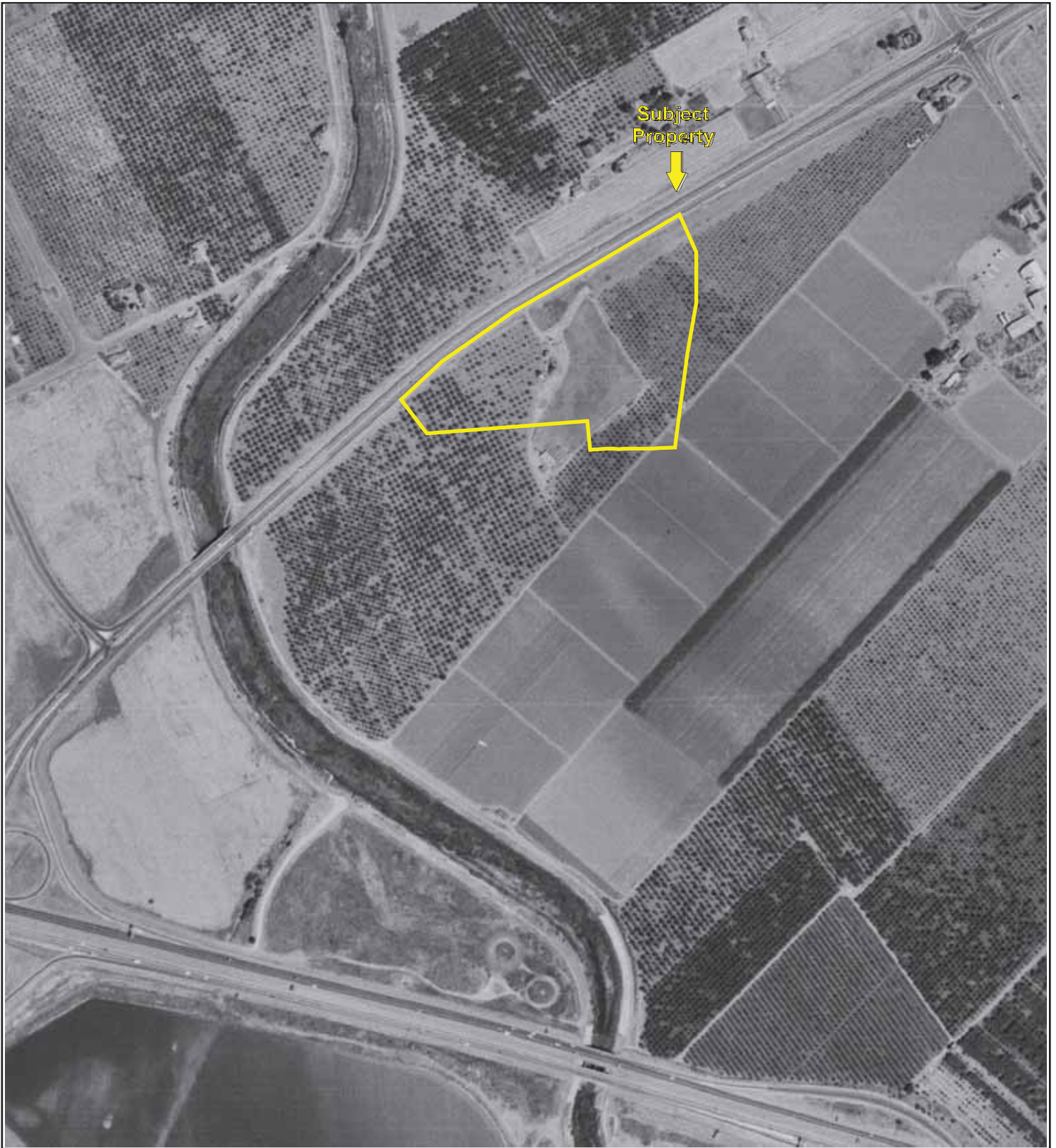
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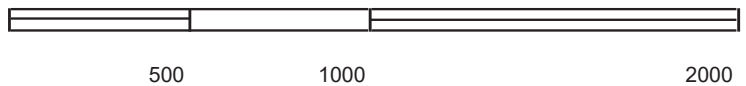
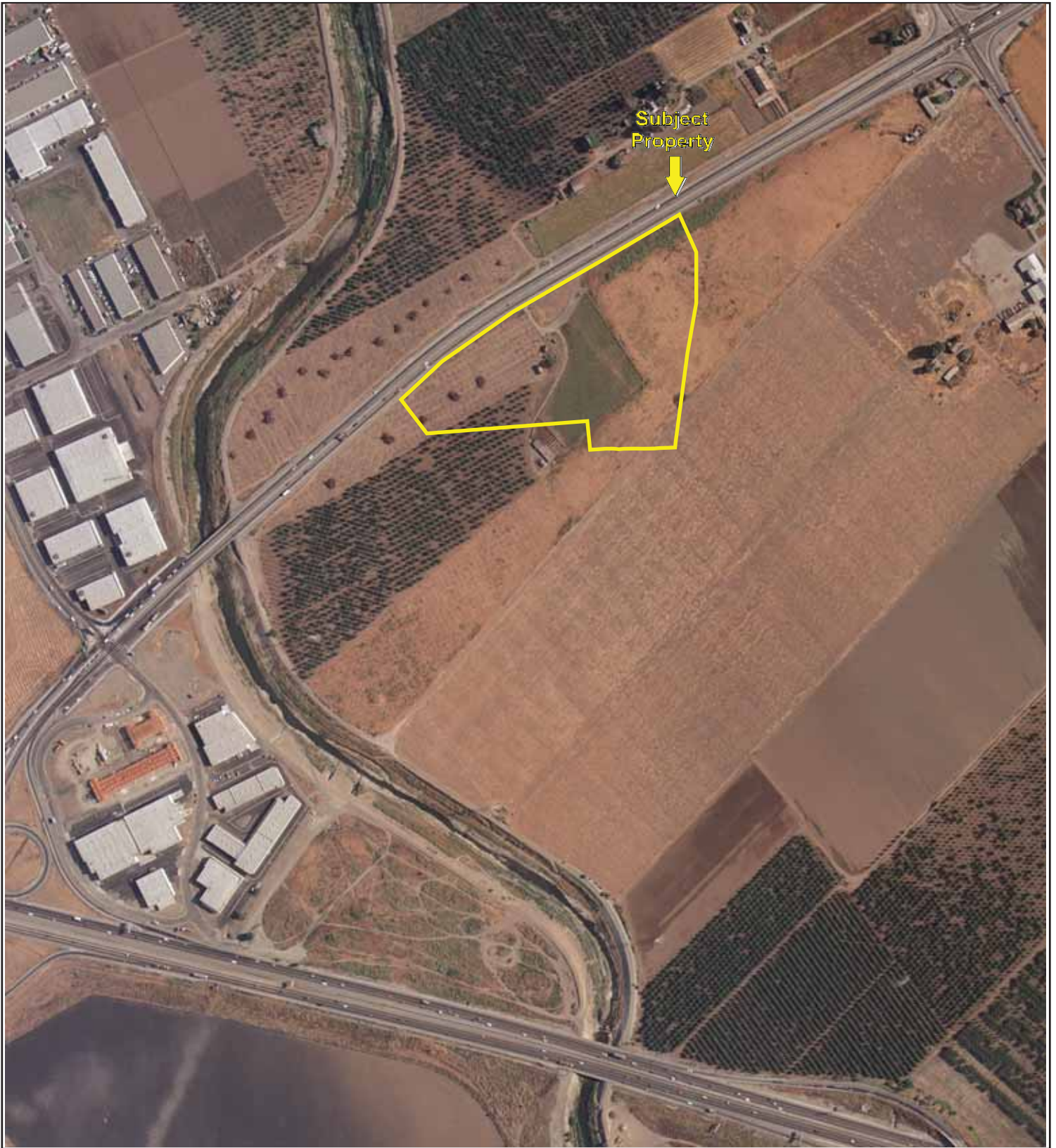
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Key: Subject Property 



Key: Subject Property 



Key: Subject Property 



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Key: Subject Property 



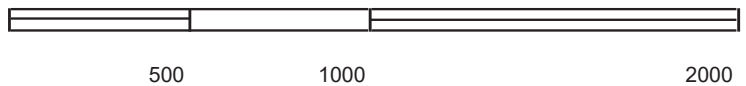
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Key: Subject Property 



Key: Subject Property 



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Key: Subject Property 



Subject Property



500

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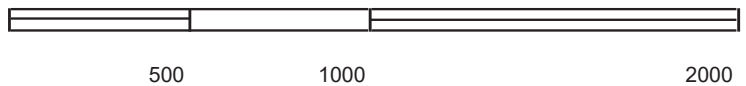
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Key: Subject Property 



Key: Subject Property 



Key: Subject Property 

Lumileds Out Parcel

370 W Trimble Rd

San Jose, CA 95131

Inquiry Number: 5435312.3

September 26, 2018

Certified Sanborn® Map Report



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

09/26/18

Site Name:

Lumileds Out Parcel
370 W Trimble Rd
San Jose, CA 95131
EDR Inquiry # 5435312.3

Client Name:

Partner Engineering and Science, Inc.
2154 Torrance Blvd, Suite 200
Torrance, CA 90501-0000
Contact: Colleen Tubridy



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The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Certification # F833-4695-91F7

PO # 18-227354.1

Project 18-227354.1

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.



Sanborn® Library search results

Certification #: F833-4695-91F7

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- Library of Congress
- University Publications of America
- EDR Private Collection

The Sanborn Library LLC Since 1866™

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Lumileds Out Parcel

370 W Trimble Rd
San Jose, CA 95131

Inquiry Number: 5435312.5
September 26, 2018

The EDR-City Directory Abstract

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City Directory Images

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Abstract is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Abstract includes a search and abstract of available city directory data. For each address, the directory lists the name of the corresponding occupant at five year intervals.

Business directories including city, cross reference and telephone directories were reviewed, if available, at approximately five year intervals for the years spanning 1922 through 2014. This report compiles information gathered in this review by geocoding the latitude and longitude of properties identified and gathering information about properties within 660 feet of the target property.

A summary of the information obtained is provided in the text of this report.

RECORD SOURCES

EDR's Digital Archive combines historical directory listings from sources such as Cole Information and Dun & Bradstreet. These standard sources of property information complement and enhance each other to provide a more comprehensive report.

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RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. An "X" indicates where information was identified in the source and provided in this report.

<u>Year</u>	<u>Source</u>	<u>TP</u>	<u>Adjoining</u>	<u>Text Abstract</u>	<u>Source Image</u>
2014	EDR Digital Archive	-	X	X	-
2010	EDR Digital Archive	-	X	X	-
2006	Haines Company, Inc.	-	-	-	-
2001	Haines Company, Inc.	-	-	-	-
2000	Haines Company	X	-	X	-
1996	Pacific Bell	-	-	-	-
1991	Pacific Telephone	-	-	-	-
1986	Pacific Bell	-	-	-	-
1985	Pacific Bell	-	-	-	-
1982	Pacific Telephone	-	-	-	-
1980	Pacific Telephone	-	-	-	-
1978	R. L. Polk & Co.	-	-	-	-

EXECUTIVE SUMMARY

<u>Year</u>	<u>Source</u>	<u>TP</u>	<u>Adjoining</u>	<u>Text Abstract</u>	<u>Source Image</u>
1975	R. L. Polk Co.	-	-	-	-
1974	R. L. Polk Co.	-	-	-	-
1970	R. L. Polk Co.	-	-	-	-
1968	R. L. Polk Co.	-	-	-	-
1966	R. L. POLK	-	-	-	-
1965	R. L. Polk Co.	-	-	-	-
1964	R. L. Polk Co.	-	-	-	-
1963	Pacific Telephone	-	-	-	-
1962	R. L. Polk & Co.	-	-	-	-
1960	R. L. Polk Co.	-	-	-	-
1957	R. L. Polk Co.	-	-	-	-
1955	R.L. Polk and Co Publishers	-	-	-	-
1950	R. L. Polk Co.	-	-	-	-
1946	R. L. Polk Co.	-	-	-	-
1945	R. L. Polk Co.	-	-	-	-
1942	R.L. Polk	-	-	-	-
1940	R. L. Polk Co.	-	-	-	-
1936	R. L. Polk Co.	-	-	-	-
1935	R. L. Polk Co.	-	-	-	-
1931	R. L. Polk Co.	-	-	-	-
1930	R. L. Polk Co. of California	-	-	-	-
1926	R. L. Polk Co.	-	-	-	-
1925	R. L. Polk Co.	-	-	-	-
1922	R. L. Polk Co.	-	-	-	-

FINDINGS

TARGET PROPERTY INFORMATION

ADDRESS

370 W Trimble Rd
San Jose, CA 95131

FINDINGS DETAIL

Target Property research detail.

Trimble

370 Trimble

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2000	HEWLETTPACKARD	Haines & Company

FINDINGS

ADJOINING PROPERTY DETAIL

The following Adjoining Property addresses were researched for this report. Detailed findings are provided for each address.

W Trimble Rd

441 W Trimble Rd

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2014	SAWYER COLLEGE OF BUSINESS	EDR Digital Archive
	CDNETWORKS INC	EDR Digital Archive
2010	SAWYER COLLEGE OF BUSINESS	EDR Digital Archive

FINDINGS

TARGET PROPERTY: ADDRESS NOT IDENTIFIED IN RESEARCH SOURCE

The following Target Property addresses were researched for this report, and the addresses were not identified in the research source.

Address Researched

370 W Trimble Rd

Address Not Identified in Research Source

2014, 2010, 2006, 2001, 1996, 1991, 1986, 1985, 1982, 1980, 1978, 1975, 1974, 1970, 1968, 1966, 1965, 1964, 1963, 1962, 1960, 1957, 1955, 1950, 1946, 1945, 1942, 1940, 1936, 1935, 1931, 1930, 1926, 1925, 1922

ADJOINING PROPERTY: ADDRESSES NOT IDENTIFIED IN RESEARCH SOURCE

The following Adjoining Property addresses were researched for this report, and the addresses were not identified in research source.

Address Researched

441 W Trimble Rd

Address Not Identified in Research Source

2006, 2001, 2000, 1996, 1991, 1986, 1985, 1982, 1980, 1978, 1975, 1974, 1970, 1968, 1966, 1965, 1964, 1963, 1962, 1960, 1957, 1955, 1950, 1946, 1945, 1942, 1940, 1936, 1935, 1931, 1930, 1926, 1925, 1922

Lumileds Out Parcel

370 W Trimble Rd

San Jose, CA 95131

Inquiry Number: 5435312.4

September 26, 2018

EDR Historical Topo Map Report

with QuadMatch™



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Historical Topo Map Report

09/26/18

Site Name:

Lumileds Out Parcel
370 W Trimble Rd
San Jose, CA 95131
EDR Inquiry # 5435312.4

Client Name:

Partner Engineering and Science, Inc.
2154 Torrance Blvd, Suite 200
Torrance, CA 90501-0000
Contact: Colleen Tubridy



EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by Partner Engineering and Science, Inc. were identified for the years listed below. EDR's Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDR's Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:**Coordinates:**

P.O.#	18-227354.1	Latitude:	37.381221 37° 22' 52" North
Project:	18-227354.1	Longitude:	-121.934433 -121° 56' 4" West
		UTM Zone:	Zone 10 North
		UTM X Meters:	594335.98
		UTM Y Meters:	4137696.42
		Elevation:	32.00' above sea level

Maps Provided:

1889	2012
1897	
1899	
1953	
1961	
1968	
1973	
1980	

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1889 Source Sheets



San Jose

15-minute, 62500

1897 Source Sheets



San Jose

15-minute, 62500

1899 Source Sheets



San Jose

15-minute, 62500

1953 Source Sheets



Milpitas

7.5-minute, 24000
Aerial Photo Revised 1948



San Jose West

7.5-minute, 24000
Aerial Photo Revised 1948

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1961 Source Sheets



Milpitas

7.5-minute, 24000
Aerial Photo Revised 1960



San Jose West

7.5-minute, 24000
Aerial Photo Revised 1960

1968 Source Sheets



Milpitas

7.5-minute, 24000
Aerial Photo Revised 1968



San Jose West

7.5-minute, 24000
Aerial Photo Revised 1968

1973 Source Sheets



Milpitas

7.5-minute, 24000
Aerial Photo Revised 1973



San Jose West

7.5-minute, 24000
Aerial Photo Revised 1973

1980 Source Sheets



San Jose West

7.5-minute, 24000
Aerial Photo Revised 1979



Milpitas

7.5-minute, 24000
Aerial Photo Revised 1979

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2012 Source Sheets



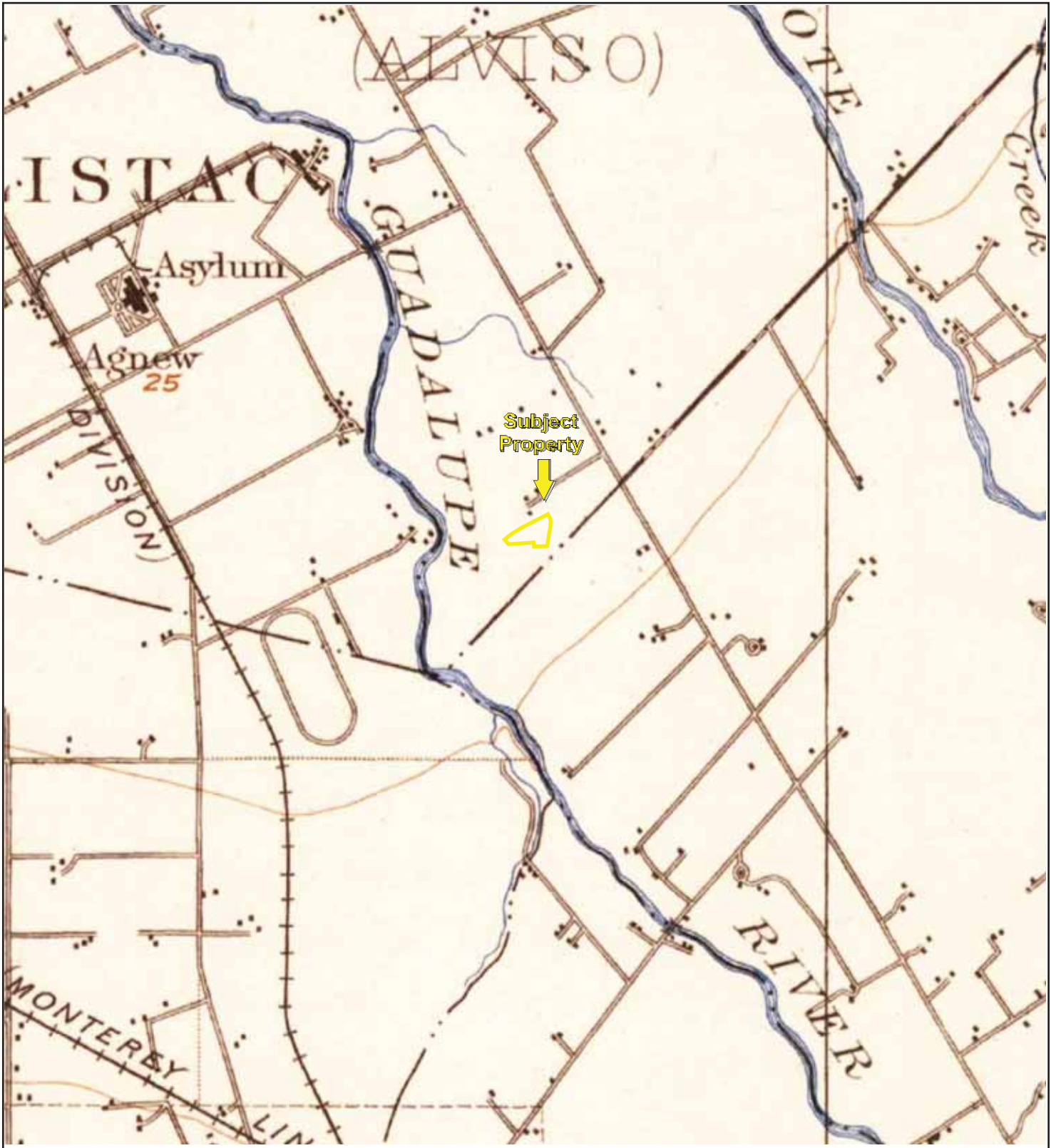
San Jose West

7.5-minute, 24000

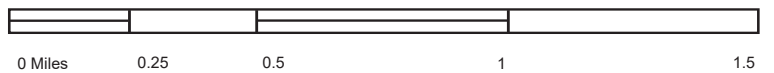


Milpitas

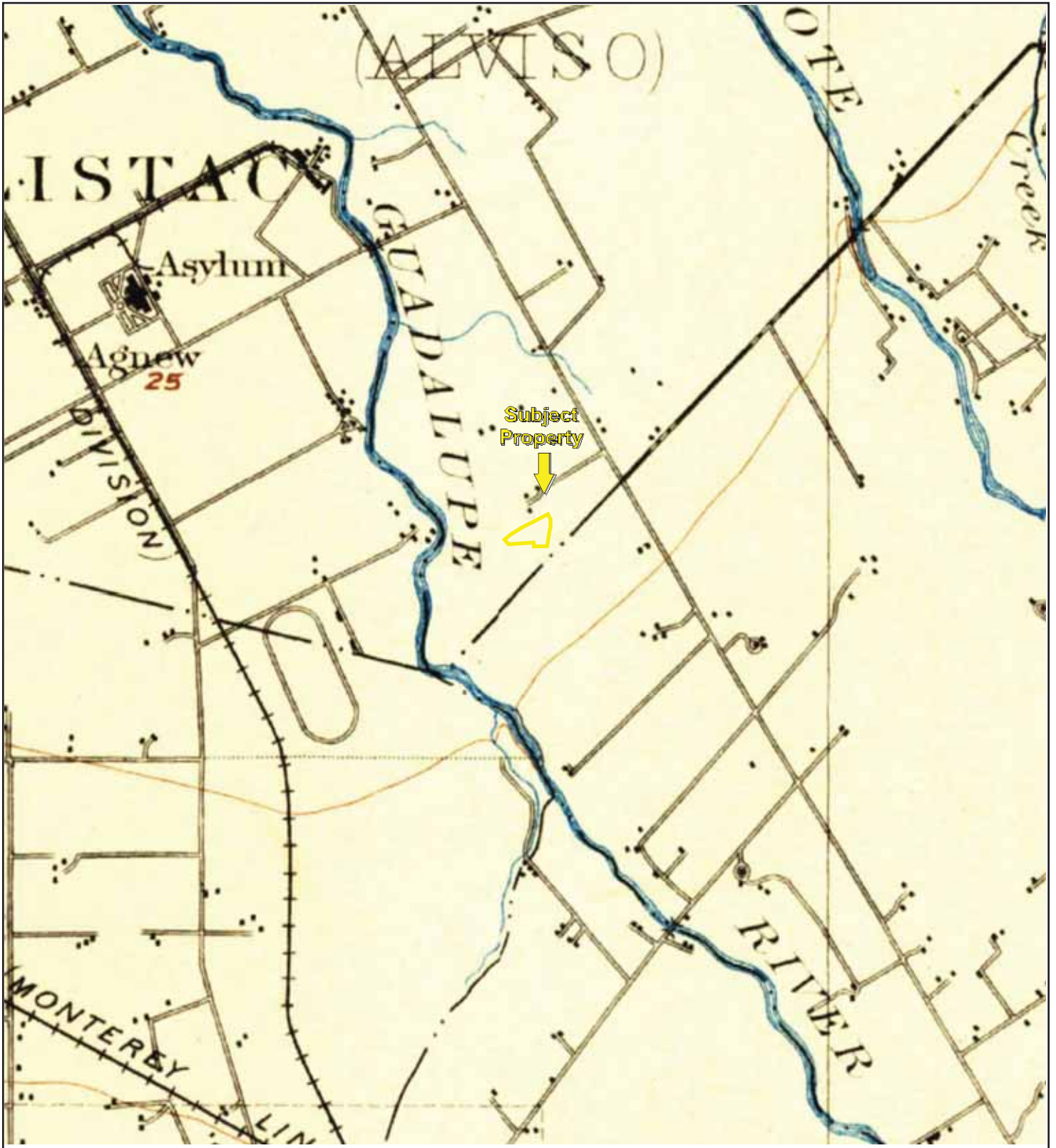
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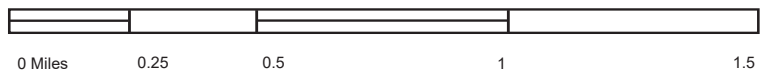
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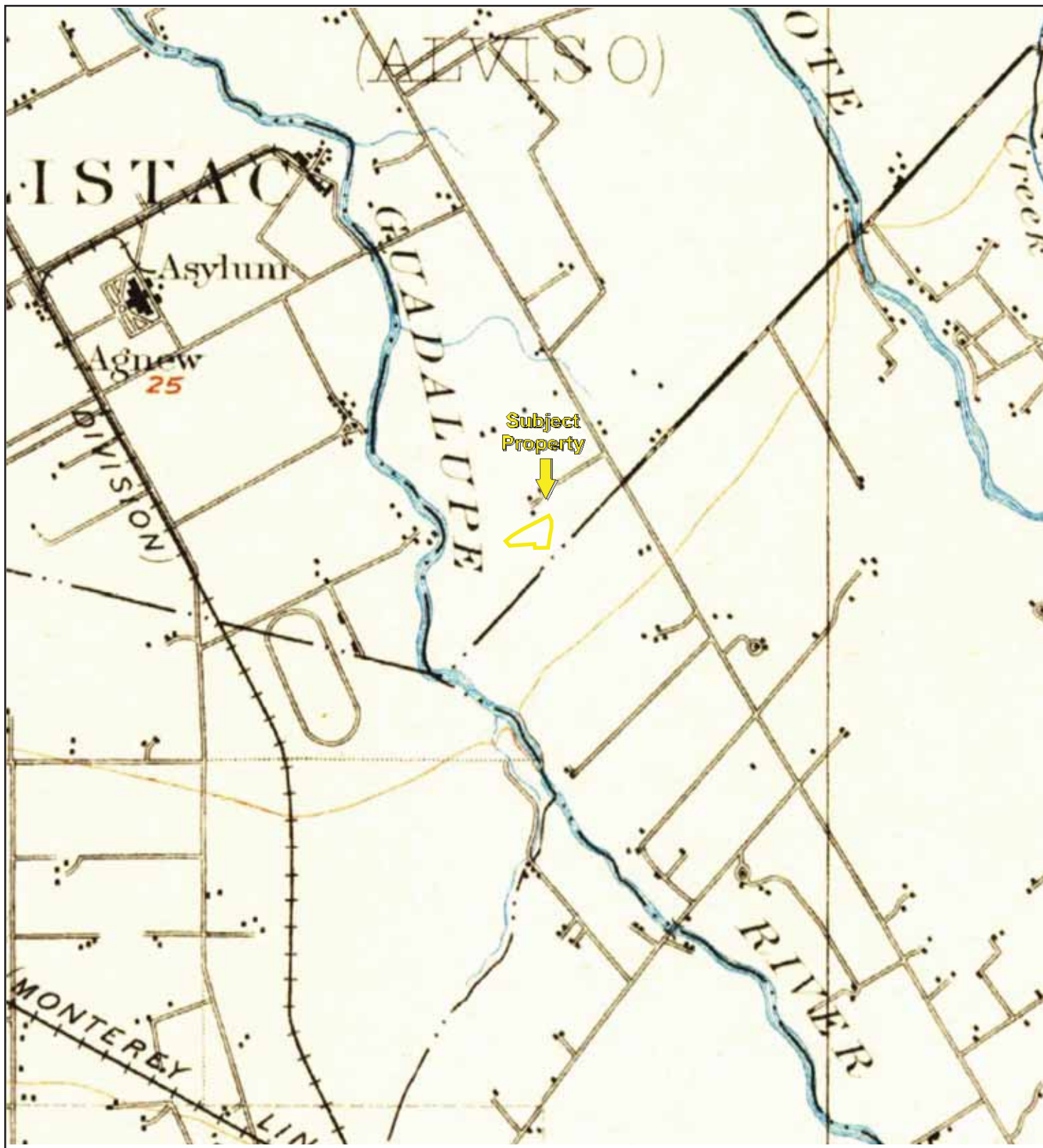
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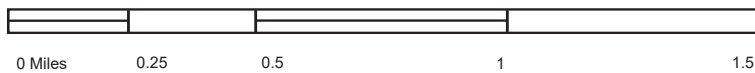
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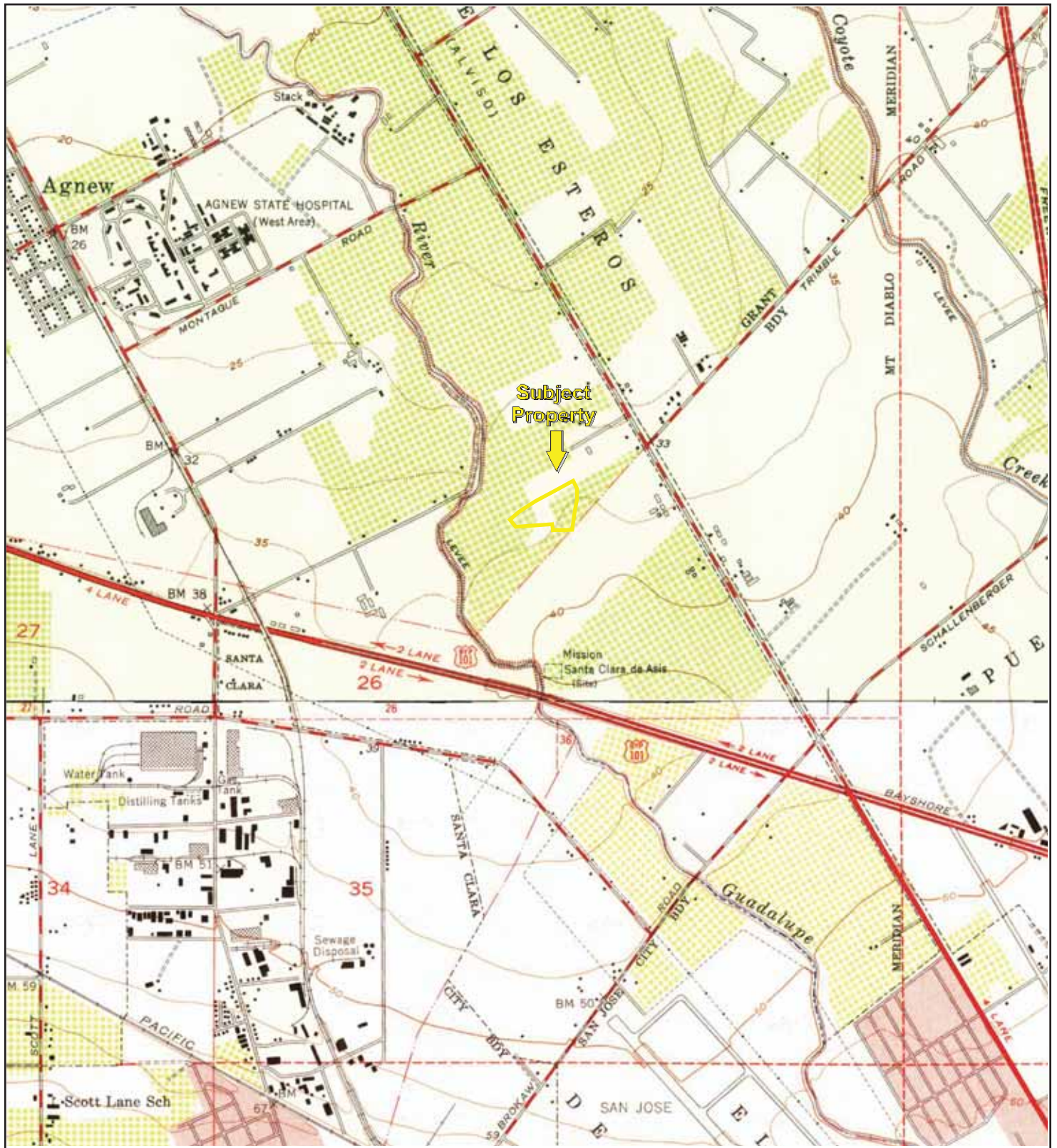
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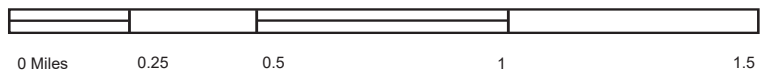
TP, San Jose, 1899, 15-minute



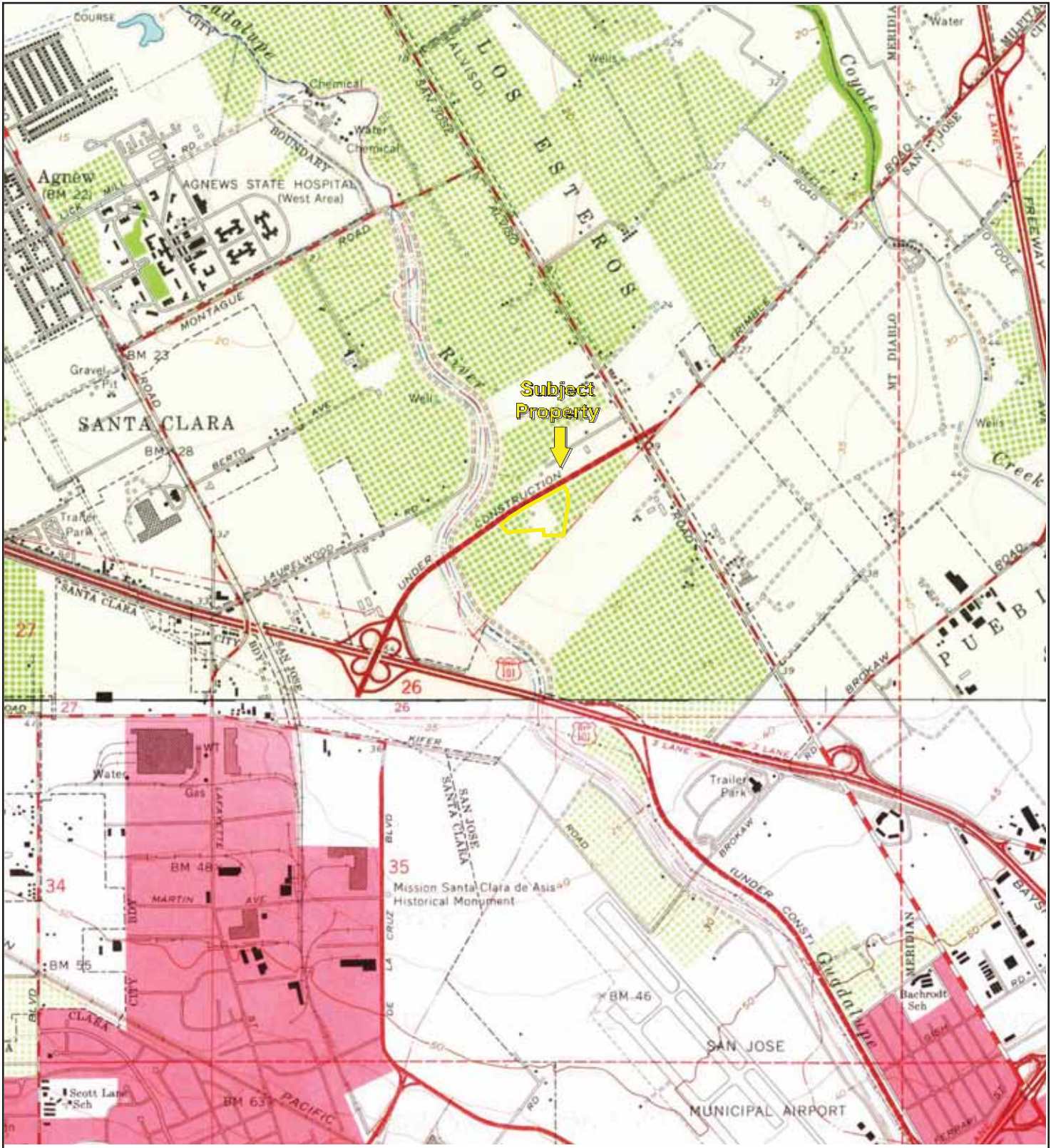
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S, San Jose West, 1953, 7.5-minute



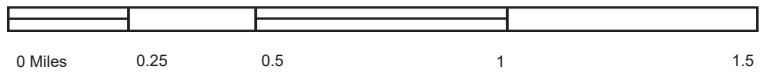
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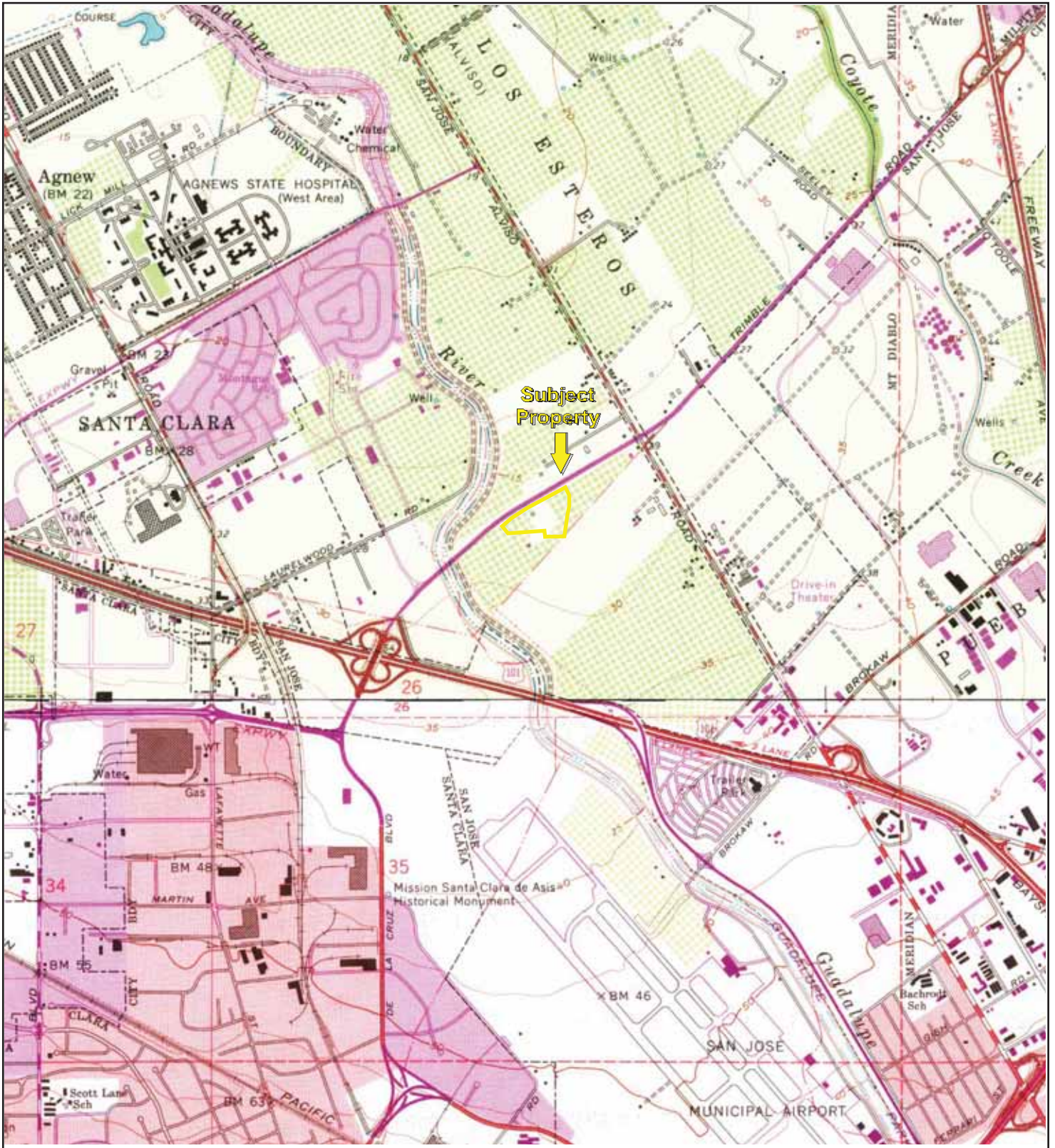
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S, San Jose West, 1961, 7.5-minute



Key: Subject Property

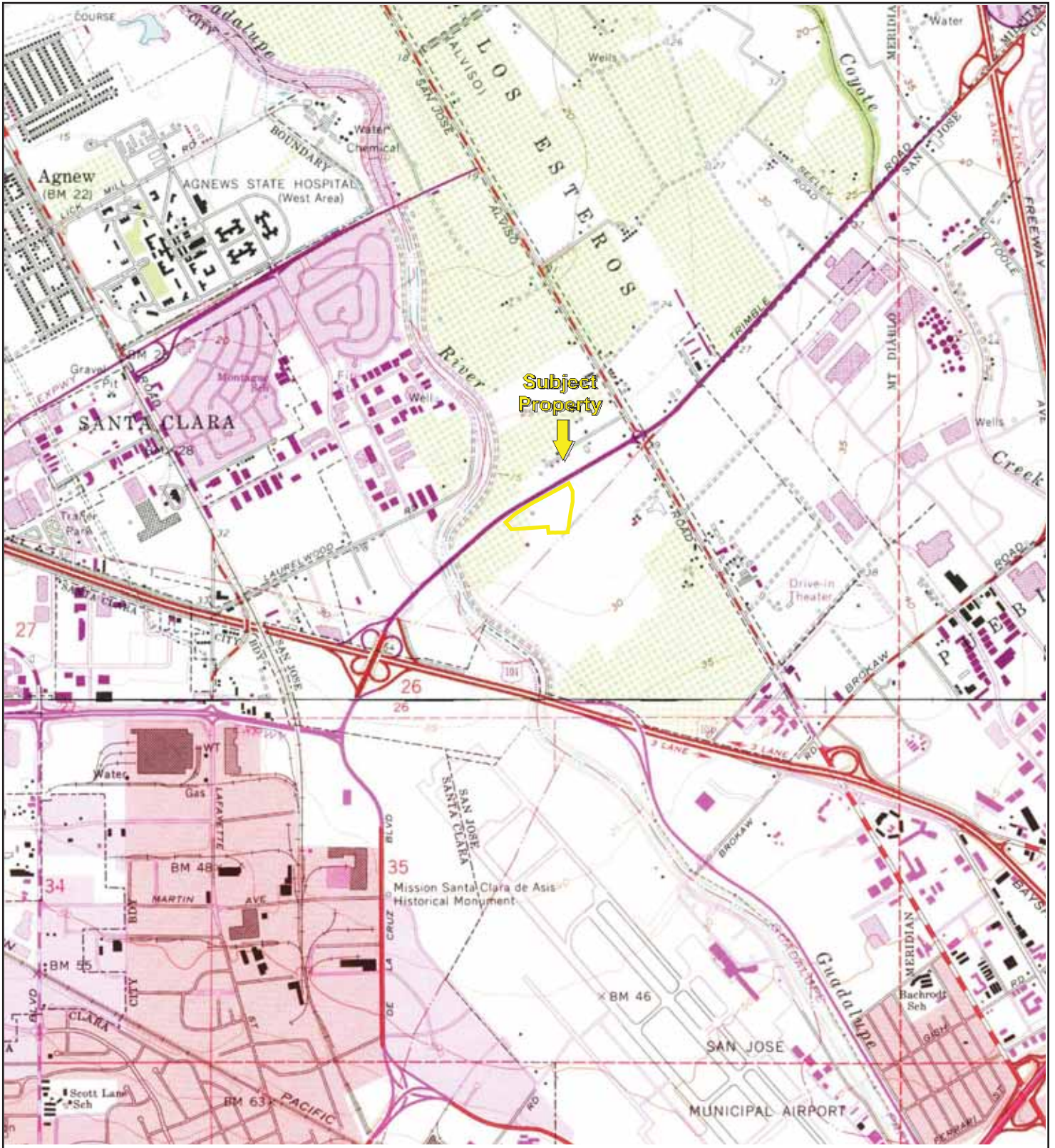


Subject Property
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TP, Milpitas, 1968, 7.5-minute
S, San Jose West, 1968, 7.5-minute



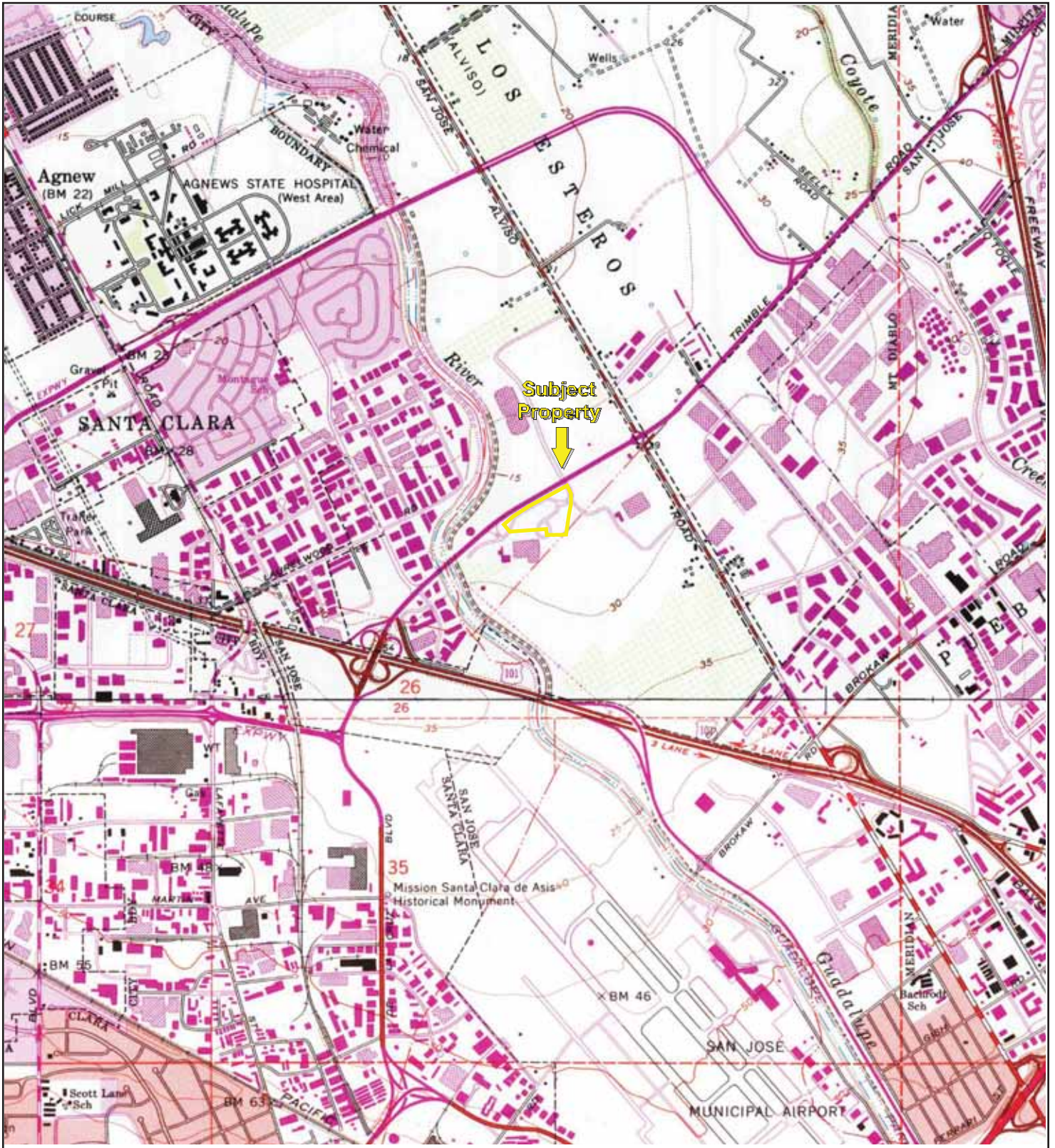
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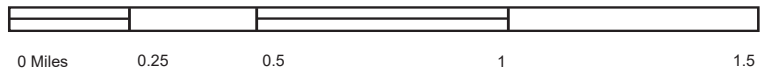
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S, San Jose West, 1973, 7.5-minute



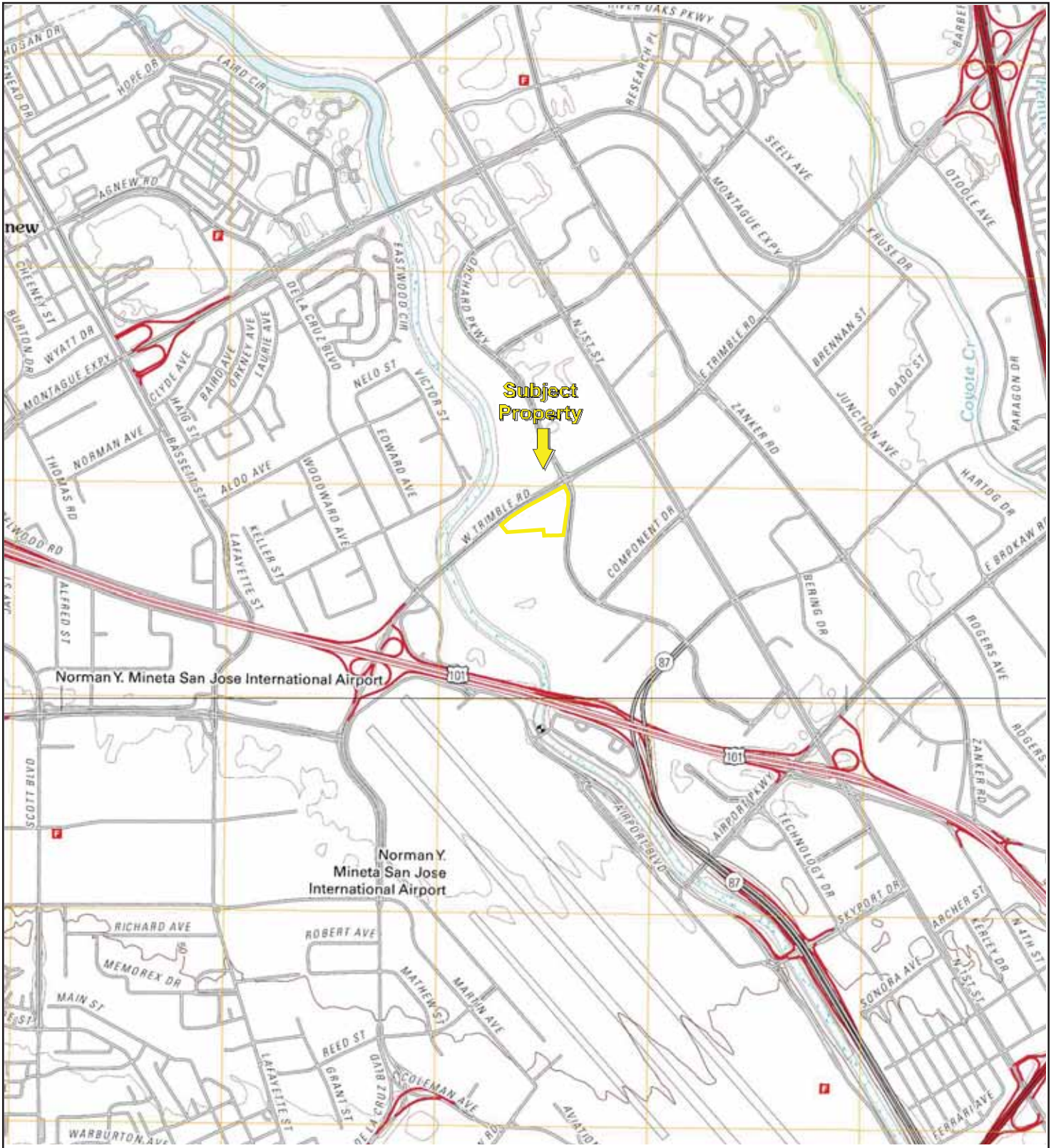
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S, San Jose West, 1980, 7.5-minute



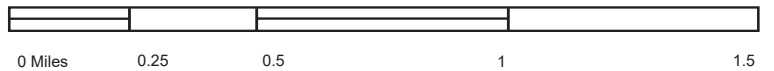
Key: Subject Property



Subject Property



TP, Milpitas, 2012, 7.5-minute
S, San Jose West, 2012, 7.5-minute



Key: Subject Property 