

**SITE DESIGNATION COMMITTEE MEETING
OF THE
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

MEETING NOTICE AND AGENDA

Wednesday, July 19, 2023

2:00 p.m. – 3:00 p.m. PST
(or until the close of business)

PHYSICAL LOCATION:

CalEPA Headquarters Building
1001 "I" Street, Sierra Hearing Room, 2nd Floor
Sacramento, California 95814

ADDITIONAL REMOTE LOCATION:

<https://us02web.zoom.us/j/85244059409>

Conference Call (888) 788-0099 (meeting ID: 852 4405 9409)

(No Committee members will be participating remotely;
it is offered as an additional location for staff and the public)

A G E N D A

This Agenda is to provide notice that the Site Designation Committee will be considering applications at a public meeting (on the above date) submitted pursuant to Health and Safety Code sections 25260 through 25268.

Notice: Testimony will be taken from those who identify themselves as wishing to speak at the beginning of the proceedings. Speakers for each item will be called in the following order: Applicant, Proposed Administering Agency, Representatives of Organizations, Governmental agencies, and other interested parties. Please note that there may be time limits placed upon testimony according to the number of parties who wish to participate.

Action may be taken on any item listed on the agenda.

1. Call to order, roll call, and establishment of quorum (Lynne Baker, Acting Chair)
2. Receive testimony, discuss, and take possible action on the responsible party's request for designation of Administering Agency and to create an Advisory Team (if requested at the hearing) for 4212-4220 Piedmont Avenue, Oakland, Alameda County, California that includes Assessor Parcel Number 012-990-020. This site is located in a commercial district and consists of approximately 0.15 acres. The two-story building located along Piedmont Avenue is comprised of four street-level commercial retail tenant spaces and four residential apartments located above the retail spaces. Dry cleaners formerly operated at 4214 and 4220 Piedmont Avenue.

The applicant of the site location is A Star Holdings, LLC, and they have requested that the San Francisco Bay Regional Water Quality Control Board be designated as the Administering Agency in Site Designation Application 23-01. (Lynne Baker, Acting Chair)

3. Adjournment (Lynne Baker, Acting Chair)

Informational Notes:

In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public. The Committee plans to provide a teleconference location; however, teleconference availability cannot be guaranteed due to limitations on resources or other technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe or participate, please plan to attend at a physical location.

This meeting notice and agenda, as well as any available Committee meeting minutes and materials, can be found on the Committee website:

<http://www.calepa.ca.gov/programs/site-designation-committee/>

If you need further information prior to the meeting, please contact Kristi Placencia by mail at ATTN: Kristi Placencia, 1001 I Street, 25th Floor, Sacramento, CA 95814; by phone at (916) 327-7780; or by email at Kristi.Placencia@calepa.ca.gov.

This meeting will occur with both a physical meeting location and an option for the public to participate from a remote location. For members of the public who wish to comment on an agenda item or are presenting to the Committee from a remote location, a Zoom meeting link has been provided above.

Because there has been public interest in activities at these sites, and the Committee wishes to hear relevant information without unnecessary delay from all parties who desire to speak, the Committee will conduct this proceeding in the following manner:

The Committee will hear testimony only from those who identify themselves as wanting to speak at the beginning of the proceeding. Testimony may be restricted to the following time limits according to the number of parties who wish to testify. Testimony will be heard from parties in the following order:

1. The applicant (maximum of 20 minutes)
2. Proposed Administering Agency (maximum of 20 minutes)
3. Representatives of organizations (maximum of 20 minutes each)
4. Governmental agencies

(maximum of 10 minutes each)

5. Individual (maximum of 5 minutes each)

The Committee may modify these time limits if conditions warrant. Written comments may be submitted prior to or during the meeting. If submitting comments prior to the meeting, please submit to Kristi Placencia by email at Kristi.Placencia@calepa.ca.gov. If submitting comments during the meeting, please provide 6 two-sided copies.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the Zoom platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: xxxxx@mailinator.com.

Committee meetings are open to the public and are held consistent with the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. Sec. 12101 et seq.). If you are a person with a disability requiring disability-related modifications or accommodations to participate in the meeting, including auxiliary aids or services, or if you require documents be made in an alternate format or another language or require an interpreter at the hearing, please contact the Committee at (916) 327-7780 or Kristi.Placencia@calepa.ca.gov. Requests should be made as soon as possible, but at least five (5) working days prior to the scheduled meeting. You may also dial a voice TTY/TDD/Speech-to-Speech Communications Assistant at 7-1-1.

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**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SITE DESIGNATION COMMITTEE
RESOLUTION NO. [23-01]
4212-4220 Piedmont Avenue, Oakland, CA**

July 19, 2023

WHEREAS, Chapter 6.65 of Division 20 of the Health and Safety Code, commencing with Section 25260, establishes a Site Designation Committee; and

WHEREAS, the Site Designation Committee may designate an Administering Agency to oversee a site investigation and remedial action at a hazardous materials release site upon request of a responsible party; and

WHEREAS, the applicant A Star Holdings, LLC, (owner of the Site and the responsible party) as defined in Health and Safety Code Section 25260(h), requested that the Site Designation Committee designate an Administering Agency to oversee site investigation and remedial action at 4212-4220 Piedmont Avenue, Alameda County, Oakland, California (the Site):

WHEREAS, this Site is a hazardous materials release site as defined in Health and Safety Code Section 25260(e); and

WHEREAS, the Site Designation Committee received the request for designation of Administering Agency on June 5, 2023; and

WHEREAS, the Site Designation Committee properly noticed a public meeting to consider the request; and

WHEREAS, the Site Designation Committee held a meeting on July 19, 2023, and provided an opportunity at the meeting for public comment regarding the application; and

WHEREAS, the Site Designation Committee considered the application and, furthermore, considered all factors and criteria set forth in Health and Safety Code Section 25262(c); and

WHEREAS, the Site Designation Committee has determined that, based upon consideration of all of the factors listed in Health and Safety Code Section 25262(c), the [Administering Agency] is the appropriate agency to act as the Administering Agency; and

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WHEREAS, A Star Holdings, LLC, agrees to reimburse the [Administering Agency], and any other appropriate agencies for their appropriate consultative and/or oversight costs and/or costs of permit development, where those agencies' significant involvement and/or permit development is necessary for the furtherance of the project goals.

NOW, THEREFORE BE IT RESOLVED that the Site Designation Committee hereby designates the [Administering Agency], as the Administering Agency for the Site; and

BE IT FURTHER RESOLVED that this designation is subject to the following conditions:

1. The [Administering Agency] shall consult, on an ongoing basis, with the appropriate agencies that have expressed an interest in this Site, and all agencies that would otherwise be issuing a permit or other form of authorization:
 - a) In administering all state and local laws, which are applicable.
 - b) In determining the adequacy of site investigation and remedial action activities and in determining and imposing appropriate land use restrictions under Health and Safety Code section 25355.5.
 - c) Prior to issuing any permit or other form of authorization.

Such consultation will also include notification, if information becomes available to the [Administering Agency], that the original application was inaccurate or was incomplete.

2. The [Administering Agency] shall comply with applicable public participation requirements.
3. The [Administering Agency] shall submit to the Site Designation Committee an initial status report following consultation with appropriate state and local agencies, an annual status report (each October beginning October 1, 2023), and a final status report after project completion. A copy of these reports should also be sent to all appropriate agencies.

4. The [Administering Agency] shall provide at least 60 days notice to interested agencies and parties prior to issuing a certificate of completion for the Site.
5. If the Responsible Party who has agreed to perform all necessary cleanup as directed by the Administering Agency designated under this Resolution is the owner of the Site, and ownership of the property changes prior to issuance of the certificate of completion, then this designation of an Administering Agency is constructively terminated on the effective date of the ownership change, as to that owner/Responsible Party. However, if there are multiple Responsible Parties identified under this Resolution, those remaining Responsible Parties designated hereunder, by continuing to perform all necessary cleanup obligations as directed by the Administering Agency, will continue to garner the benefits of this Resolution.

CERTIFICATION

The undersigned Chair of the Site Designation Committee does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Site Designation Committee held in Sacramento, California on July 19, 2023.

Chair, Site Designation Committee

Date