

From: [City of Cupertino Planning Dept.](#)
To: [Catarina Kidd](#); [Piu Ghosh](#)
Cc: [Aarti Shrivastava](#); [Benjamin Fu](#)
Subject: FW: Vallco Hazardous Materials: Remove GP Housing at Vallco - Deny SB 35
Date: Thursday, June 21, 2018 5:26:44 PM
Attachments: [Review of Environmental Reporting Pertaining to Vallco Site.pdf](#)

From the Planning Department's general mailbox:

From: Kitty Moore [mailto:ckittymoore@gmail.com]
Sent: Thursday, June 21, 2018 4:00 PM
To: Darcy Paul <DPaul@cupertino.org>
Cc: Cupertino City Manager's Office <manager@cupertino.org>; City of Cupertino Planning Dept. <planning@cupertino.org>; City Attorney's Office <CityAttorney@cupertino.org>; City Clerk <CityClerk@cupertino.org>; Rod Sinks <RSinks@cupertino.org>; BC-StrategyDiscuss <bc-strategydiscuss@googlegroups.com>; Savita Vaidhyanathan <svaidhyanathan@cupertino.org>; Steven Scharf <scharf.steven@gmail.com>; Esq. Bern Steves <bernsteves@californiabizlaw.com>
Subject: Vallco Hazardous Materials: Remove GP Housing at Vallco - Deny SB 35

Dear Mayor Paul,

Please place this in the Public Record for Vallco Specific Plan DEIR and Vallco SB 35 for review.

As you are aware, the Vallco site fails SB 35 qualifications due to environmental issues with the site.

Additionally, I see no indication that the site had a thorough review when the City Council voted to December 4, 2014 to designate it a Priority Housing site. There was an Environmental Impact Report performed even, yet there does not appear to be a study on a site which had a gas station, two automotive centers, a giant cooling tower for the ice rink, and at least two above ground storage tanks. Reading through the Appendices for the Vallco DEIR:

Vallco DEIR: <http://www.cupertino.org/home/showdocument?id=20865>

Appendix E Part 1 (Environmental Site Assessment by Cornerstone Earth Group): <http://www.cupertino.org/home/showdocument?id=20875>

Appendix E Part 2 (Environmental Site Assessment by Cornerstone Earth Group): <http://www.cupertino.org/home/showdocument?id=20874>

It is dismaying that the Vallco owner did not fill out the questionnaire provided by Cornerstone Earth Group regarding potential hazardous materials (a page from the Simeon questionnaire is in the attached file) and provided three older and mutually conflicting ESAs.

None of the previous ESAs mention the 1,000 gallon waste oil Underground Storage Tank on the west side of the Sears Automotive Building, yet the current ESA shows a photo of the lid

presumably of the tank, and did not lift the lid! The tank apparently shows up on building plans from 1969.

The potential for contamination from pesticide use historically is mentioned, yet no samples were taken to deny their presence. Lead and arsenic used to be mixed with water (lead arsenate) to spray the trees locally and then they moved on to DDT. The site was an orchard at least from 1939 through 1974. The buildings show up as early as 1897 so it may be far longer pesticide use than we can imagine. Was all the soil piled on the north side of JC Penney, concentrating pesticides in it?

I had been told the Main Street Apartments required some soil haul off due to contamination. I could not find this information made public. The 19,333 Vallco Parkway site is prohibited from residential by deed restriction. The contamination area is about 100' from the Vallco site. Is it possible the PCE and Freon were not always dumped out their own back door? Who would know this?

Please, when the non-compliance for SB 35 has been determined and announced, schedule the hearings for the consideration of removal of Vallco as a Housing Element Priority site.

Sincerely,

Kitty Moore

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