

AllWest Environmental

ENVIRONMENTAL SITE ASSESSMENT

The Westin San Jose, 302 S. Market Street, San Jose, CA 95113



PREPARED FOR:

Client Name
Street Address
City, ST Zip

ALLWEST PROJECT xxxxx.20
Date

PREPARED BY:

Preparer's Name
Title

REVIEWED BY:

Reviewer's Name
Title



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ENVIRONMENTAL SITE ASSESSMENT

The Westin San Jose, 302 S. Market Street, San Jose, CA 95113

I. EXECUTIVE SUMMARY

AllWest has completed an environmental site assessment of the real property referenced above. This assessment was performed in accordance with the scope and limitations of 40 CFR Part 312 Standards and Practices for All Appropriate Inquiries; Final Rule, and ASTM E 1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. Any data gaps, exceptions to or deletions from these practices are described in Section IV of this report.

This ESA was conducted for [Client Name] which is purchasing the subject property. AllWest conducted a site visit of the subject property on [Date].

This executive summary is provided solely for the purpose of overview. Any party who relies on this report must read the full report. The executive summary may omit details, any one of which could be crucial to the proper understanding and risk assessment of the subject matter.

The subject property is developed on a single, irregularly-shaped parcel comprising 0.56 acre (24,219 square feet), designated as assessor's parcel number (APN) 264-29-107. The subject parcel has approximately 95 feet of street frontage along S. Market Street and 196 feet of street frontage along W. San Carlos Street. For the purposes of this report, the W. San Carlos Street frontage of the hotel will be referred to as the northern elevation.

The approximately 123,505-square-foot hotel includes a 6-story L-shaped main section fronting W. San Carlos and S. Market Streets, with a single-story section on the southeastern portion of the property. Il Fornaio restaurant is located in the W. San Carlos Street-fronting portion of the main hotel. A basement is present beneath the building. Two alley/loading dock areas adjoin the southern side of the building, accessed from S. Market Street and S. First Street. The western loading dock area appears within an easement on the southerly adjoining property rather than on the subject property; a portion of the eastern

loading dock appears on the subject property, with the access driveway to S. First Street within an adjoining property easement. Together, the hotel facilities and eastern loading dock area cover the entire footprint of the subject property.

The subject property is located in a commercial and residential area of downtown San Jose. Its zoning designation is DC – Downtown Primary Commercial. Adjoining sites include W. San Carlos Street followed by a surface parking lot to the north, W. San Carlos/S. Market Streets intersection followed by Plaza de Cesar Chavez to the northwest, California Theater and a commercial building to the south, S. Market Street followed by the Marriott hotel to the west, and a mixed-use commercial/residential building to the east.

Subject site topography is generally level, at an elevation of approximately 98 feet above mean sea level (msl). Vicinity topography slopes gently towards the northwest. Depth to ground water is approximately 25 to 30 feet below ground surface. Ground water flow varies between a west-northwesterly and a northeasterly direction in the vicinity of the subject property.

AllWest assessed the site's land use history by reviewing Sanborn maps, aerial photographs, topographic maps, city directories and other relevant documents. Our review indicated the subject property was developed as early as the 1880s through at least the mid-1910s with portions of the Eagle Brewery. Subsequently, the existing hotel was constructed in 1926. Originally known as the Sainte Claire Hotel, multiple hotel companies have operated the hotel to the present. From the 1930s to the 1970s, the hotel included multiple commercial suites which were occupied by a variety of stores, barbers, beauty salons, florists and offices. Significant renovations to the hotel were documented in 1982, 1992 and 2015. The Sainte Claire Hotel was rebranded to Westin San Jose in 2015.

Hazardous materials present at the subject property include non-regulated quantities of typical janitorial, laundry and maintenance materials. Generation of hazardous waste was not observed or reported. No dry cleaning is conducted at the hotel nor were we

able to identify former hotel dry cleaning activities in the documentation available for this study.

Three overhead traction elevators, two passenger and one service, serving all floors of the building are present in the hotel. The elevators reportedly were modernized in 2017. One hydraulic kitchen elevator serving the basement and 1st floor was installed in 2002 and is in poor condition, appearing unmaintained. Observation of the hydraulic elevator pit revealed visual evidence of previously having been filled with hydraulic fluid.

No information indicating the presence of underground storage tanks (USTs) at the site was found. While an abandoned UST may remain at the building, considering the major property renovations in 1982, 1992 and 2015, AllWest opines it unlikely.

A grease trap for the restaurant was observed on the eastern loading dock.

As the original hotel was constructed in 1926, and based on provided asbestos survey data and signage, building materials are presumed to include asbestos-containing materials (ACM). Unspecified asbestos abatement reportedly has been conducted periodically during building renovations.

Based on original construction prior to the 1978 ban on lead-based paint (LBP), surfaces painted prior to 1978 are presumed to include LBP.

To identify the site's potential listing in environmental databases and evaluate off-site environmental concerns, AllWest reviewed a site-specific radius report provided by Environmental Data Resources, Inc. (EDR®), which searched regulatory agency lists/databases for recorded sites within the industry standard search radii.

For use of small quantities of hazardous materials and generation of a small quantity of hazardous waste as well as asbestos-containing waste, previous Sainte Claire Hotel owners/operators were included on the HAZMAT, HAZNET and HWTs databases.

EDR's agency database search identified no current or previous conditions at the subject property that appear likely to have significantly impacted the underlying soil, soil vapor or ground water.

The agency database search identified multiple sites in the immediate subject property vicinity with documented ground water impact by petroleum hydrocarbons and, less frequently, chlorinated solvents, most significantly Pierce Development at 561-599 S. Market Street, approximately 0.29 mile up-gradient. Based on the Pierce site's documented groundwater concentrations at closure, there is a low

likelihood that Pierce contaminants have significantly impacted the subject property.

Due to the number of release sites in the immediate vicinity, ground water quality in the area of the subject property is likely diminished. However, the off-site sources have identified responsible parties and contaminant concentrations, if any, are not anticipated to be significant. The potential for a vapor intrusion concern from off-site sources is considered low.

II. CONCLUSIONS & RECOMMENDATIONS

AllWest has conducted an environmental assessment for the subject property in general accordance with 40 CFR Part 312 Standards and Practices for All Appropriate Inquiries; Final Rule, and ASTM E 1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

We have not identified a Recognized Environmental Condition (REC), Controlled REC (CREC) or Historical REC (HREC) at the subject property from its current, historical or surrounding land use activities.

Although not considered RECs, the following environmental conditions were identified.

ACM and LBP are presumed and/or documented present in subject property materials and finishes not abated during previous renovation activities. To address presumed and known ACM on the subject property, implementation of an asbestos Operations and Maintenance (O&M) program is recommended. Prior to significant renovation of the structure, pre-demolition asbestos and lead-based paint surveys must be conducted and identified materials appropriately handled/abated.

III. ENVIRONMENTAL PROFESSIONAL'S DECLARATION

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 40 CFR 312.10(b) and ASTM 1527-13. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property.

We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Preparer's Name/Signature
Title

Reviewer's Name/Signature
Title

IV. SCOPE OF WORK AND LIMITATIONS

This Phase I Environmental Site Assessment (ESA) was prepared in accordance with AllWest's [Date] proposal, with respect to The Westin San Jose located at 302 S. Market Street in San Jose, California. This assessment was performed in general accordance with ASTM 1527-13 and 40 CFR Part 312, except as set forth in the proposal. The work conducted by AllWest is limited to the services agreed to with [Client Name]. No other services beyond those explicitly stated should be inferred or are implied.

The objective of this ESA was to evaluate the subject site for conditions indicative of a release or threatened release of hazardous substances on, at, in, or to the property. AllWest's professional services were performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in the location of the subject site at the time of our investigation. This warranty is in lieu of all other warranties, expressed or implied.

Our professional judgment regarding the potential for environmental impacts is based on limited data and our investigation was not intended to be a definitive investigation of contamination at the site. Unless specifically set forth in our proposal, the scope of work did not include groundwater, soil sampling or other subsurface investigations, a strict compliance audit of the site, or a review of the procedures for hazardous material use, waste storage or handling prior to disposal, or for personnel safety and health training and monitoring procedures, analyzes of radon, formaldehyde, lead paint, asbestos and other hazardous materials or indoor air quality, occupational health and safety or wetlands surveys.

The purpose of conducting a Phase I ESA is to assess the subject site for conditions indicative of releases or threatened releases of hazardous substances on, at, in or to the property resulting from its current, historic and surrounding land use activities. As noted in 40 CFR Part 312, Environmental Assessments are purely qualitative with conclusions drawn from a multitude of sources as evaluated by the environmental professional using professional judgment. Since soil and groundwater data are typically not generated during assessment activities, report conclusions such as "the site is clean" or alternatively "the site is contaminated" cannot be provided.

Recognizing the limitations of the Phase I methodology, AllWest assesses the potential for site contamination using a four-tier probability scale designated as:

Very Low - 1-5 % chance of discovering contamination at the site which would result in regulatory mandated remedial investigation and clean-up;

Low - 10% chance of discovering contamination at the site which would result in regulatory mandated remedial investigation and clean-up;

Moderately Low - 20 - 30 % chance of discovering contamination at the site which would result in regulatory mandated remedial investigation and clean-up; or

Moderate - greater than 30% chance of discovering contamination at the site which would result in regulatory mandated remedial investigation and clean-up.

As defined above, these terms are used throughout the report.

Entities relying on the report should realize that uncertainty of site environmental condition can be further reduced via soil, soil vapor and groundwater sampling. While this option certainly costs additional monies and extends the assessment's time frame, it also quantitatively documents site conditions which can facilitate future disposition or re-finance activities.

Regarding any subsurface investigation, sampling undertaken or subsurface reports reviewed, our opinions are limited to only specific areas and analytes evaluated, and AllWest is not accountable for analyte quantities falling below recognized standard detection limits for the laboratory method utilized. AllWest does not warrant or guarantee the subject property suitable for any particular purpose, or certify the subject site as clean or free on contamination. As with any assessment, it is possible

that past or existing contamination remains undiscovered.

The professional opinions set forth in this report are based solely upon and limited to AllWest's visual observations of the site and the immediate site vicinity, and upon AllWest's interpretations of the readily available historical information, interviews with personnel knowledgeable about the site, and other readily available information. Consequently, this report is complete and accurate only to the extent that cited reports, agency information, and recollections of persons interviewed are complete and accurate.

The opinions and recommendations in this report apply to site conditions and features as they existed at time of AllWest's investigation. They cannot necessarily apply to conditions and features of which AllWest is unaware and has not had the opportunity to evaluate. Future regulatory modifications, agency interpretations, and/or policy changes may also affect the compliance status of the subject property. AllWest has made no attempt to address future financial impacts to the site (e.g., reduced property values) as a result of potential subsurface contaminant migration.

DATA GAPS: AllWest has made a good faith effort to obtain information required by 40 CFR Part 312 to formulate a professional opinion. Instances where data gaps occur are detailed within our report with an opinion as to whether the information void is significant impacting our ability to identify conditions indicative of a release or potential release of hazardous substances. In general, if a data gap is identified by AllWest it will be discussed in the report's conclusion section with a recommendation for additional work as necessary.

This Phase I ESA was prepared for the sole and exclusive use of [Client Name], the only intended beneficiary of our work. This report is intended exclusively for the purpose outlined herein and the site location and project indicated and is intended to be used in its entirety. No excerpts may be taken to be representative of the findings of this assessment. The scope of services performed in execution of this investigation may not be appropriate to satisfy other users, and any use or reuse of this document or its findings, conclusions or recommendations presented herein is at the sole risk of the user. This report is not a specification for further work and should not be used to bid out any of the recommendations found within.

V. ENVIRONMENTAL ISSUES MATRIX

The Westin San Jose, 302 S. Market Street, San Jose, CA 95113

AllWest Project 21166.20

<i>On-Site Issues</i>	<i>Located</i>	<i>Regulatory Compliance</i>		<i>Recommended Action</i>	<i>Refer To Section</i>
55-Gallon Drums	Yes	N/A		None – used cooking oil	G.6
Above Ground Tanks	No				
Underground Tanks	No				G.4
Evidence of Material Discharge/Release	No				
Transformers	No				
Hazardous Materials	Yes	Unregulated quantities		None	G.2
Hazardous Wastes	No				
Asbestos Walls, Ceilings, Floors, Fireproofing & Bulk Insulation	Presumed & Documented			O&M plan; survey/abatement prior to renovation	F.2
Lead Based Paints	Presumed			Survey/abatement prior to renovation	F.2
Mold	No				
Air Quality Issues	No				
Radon	No				
Sensitive Ecological Areas	No				
Regulatory Database Listings	Yes			None	I
Historical Contamination	No				
REC/CREC/HREC	No				
Other Issues	No	N/A		Review elevator operating records for excessive hydraulic oil use	F.4
<i>Off-Site Issues</i>	<i>Located</i>	<i>Within 1/4 Mile</i>	<i>Within 1/2 Mile</i>	<i>Recommended Action</i>	<i>Refer To Section</i>
NPL Sites	No				
CORRACTS	No				
SEMS Sites	Yes	0	1	None	I.4
RCRA TSDF	No				
EnviroStor Sites	Yes	1	12 w/in 1 mile	None	I.9
SLIC Sites	Yes	4	21	None	I.11
LUST Sites	Yes	15	52	None	I.13

Note: ASTM-designated search radius for NPL and EnviroStor sites is 1 mile.

VI. ASSESSMENT FINDINGS

A. SITE INFORMATION

1. **PURPOSE:** This ESA was conducted for [Client Name], which is considering acquisition of the subject property.

[Client] provided no information regarding the relationship of the potential purchase price for the subject property to fair market value. Based on information available, no reduction in property value is anticipated, related to environmental issues.

2. **PROPERTY ADDRESSES:** The address associated with the subject property is 302 S. Market Street in San Jose, Santa Clara County, California 95113.

Additional previous subject property addresses were identified on historical Sanborn maps as 40 through 92 (even) W. San Carlos Street.

The site location is shown on the included figures and within the attached Environmental Data Resources, Inc. (EDR®) report contained in Appendix A.

3. **ASSESSORS PARCEL NUMBER:** According to the Santa Clara County Assessor's Office, the subject property parcel is designated as APN 264-29-107.
4. **ZONING:** The zoning designation for the subject property is DC – Downtown Primary Commercial. Adjoining properties are similarly zoned, with the exception of property adjoining south which is zoned PQP – Public/Quasi-Public.

Based on information available through the City of San Jose website, the subject property is located within the Market Gateway redevelopment project area and the Central planning area.

The hotel is included on the National Park Service's National Register of Historic Places.

5. **FACILITY/SITE DESCRIPTION:** The subject property is developed on a single, irregularly-shaped parcel comprising 0.56 acre (24,219 square feet). The subject parcel has approximately 95 feet of street frontage along S. Market Street and 196 feet of street frontage along W. San Carlos Street. For the purposes of this report, the W. San Carlos Street frontage of the hotel will be referred to as the northern

elevation. The property is owned by [Owner's Name].

The approximately 123,505-square-foot hotel includes a 6-story L-shaped main section fronting W. San Carlos and S. Market Streets, with a single-story section on the southeastern portion of the property. Il Fornaio restaurant is located in the W. San Carlos Street frontage of the main hotel. A basement is present beneath the building. Two alley/loading dock areas adjoin the southern side of the building, accessed from S. Market Street and S. First Street. The western loading dock area appears within an easement on the southerly adjoining property rather than on the subject property; a portion of the eastern loading dock appears on the subject property, with the access driveway to S. First Street within an adjoining property easement. Together, the hotel facilities and eastern loading dock area cover the entire footprint of the subject property.

6. **CURRENT USE OF PROPERTY BY TENANT(S):** The subject property is occupied by The Westin San Jose, at the location of the historic Sainte Claire Hotel. Il Fornaio restaurant operates within the hotel.
7. **CURRENT USE OF THE SURROUNDING PROPERTIES:** Surrounding property land use can be characterized as commercial and residential. Neighboring properties to the subject site include the following.

North: Market and San Carlos Public Parking

Northwest: Plaza de Cesar Chavez

South: California Theater (345 S. First Street) and a commercial building occupied by Cubamex restaurant, AIA, Hoffman Agency and other offices (325 S. First Street)

West: San Jose Marriott (301 S. Market Street)

East: Mixed use building occupied by Original Joe's restaurant (301 S. First Street), St. Claire Apartments (311 S. First Street) and café/restaurant (321 S. First Street)

Use of significant quantities of hazardous materials at adjoining properties was not observed.

8. **SITE RECONNAISSANCE:** AllWest representative Belinda Blackie, P.E. visited the subject property on [Date], and was accompanied by [Name of Escort].

Access to the subject property interior included three hotel rooms, conference rooms, ballroom,

atrium, lobby, Il Fornaio restaurant and kitchen, representative housekeeping, electrical, and storage rooms, and elevator equipment rooms, as well as back-of-house areas including laundry, break, shop, boiler, paint and mechanical rooms. The two loading docks were accessed, as was the building roof at two locations and the rooftop penthouse equipment rooms. The eastern exterior wall of the hotel was unable to be observed as it abutted the adjoining building.

Adjoining properties were observed from public right-of-ways.

Site photographs are included with this report.

9. INTERVIEWS WITH PRESENT PROPERTY OWNER(S): AllWest forwarded a questionnaire to the User, [Name]. The questionnaire is used to collect information on past uses and ownerships of the property, and to identify potential conditions that may indicate the presence of releases or threatened releases of hazardous substances at the subject property. The completed questionnaire had not been returned at the time this report was issued.

Multiple documents for the subject property, including previous ESAs, an ALTA land title survey and several asbestos survey reports, were provided by Khanna Enterprises Ltd. for AllWest's review. Pertinent information obtained from the reports is included in Section A.10 as well as in the appropriate sections of this report.

Westin San Jose representatives [Names] also were interviewed during the site reconnaissance. Pertinent information obtained is included in the appropriate sections of this report

AllWest's assessment of the site's current use did not encounter data gaps that diminish our ability to provide an opinion on a release or potential release of hazardous substances at the subject property.

10. PREVIOUS REPORTS: AllWest was provided by our client and the current property owner with two previous ESAs conducted on the subject property, as well as an ALTA land title survey, preliminary title report and asbestos survey reports. A summary of the pertinent information from the ESAs follows; additional information from the provided documents is included in Section F.2 and other appropriate sections of this report. The provided documents are included in Appendix B.

Phase I Environmental Site Assessment, Sainte Claire Hotel, 302 South Market Street, San Jose, Santa Clara County, California 95113 (Project

2011-04891-0006), Eckland Consultants Inc. (Eckland), May 26, 2011.

The Eckland report was a Phase I ESA conducted in accordance with the ASTM 1527-05 standard in place at the time. The study was completed for Larkspur Hotels, LLC.

The subject property was documented as a brewery during the late-1800s and early-1900s, prior to construction of the hotel in 1926. Eckland documented renovations to the hotel in 1982 and 1992.

During the study, the subject property use was described similarly to that observed for the current study. Hazardous materials documented at the subject property by Eckland were similar to those observed at the time of the current study as well. No evidence of USTs was identified; hotel personnel interviewed by Eckland believed the hotel had always been heated by natural gas. Eckland stated that no dry cleaning was conducted at the hotel.

Eckland identified no RECs or HRECs associated with the subject property. The presence of ACM was suspected, although it was noted a 2004 limited asbestos survey did not identify ACM. An asbestos O&M plan was noted as being in place. Periodic inspection of suspect ACM was recommended, as was a survey/testing prior to renovation, remodeling or demolition. As painted surfaces were in good condition and the property non-residential, no further action was recommended for LBP.

No vicinity facilities were identified by Eckland as being of potential concern to the subject property.

Based on AllWest's review of the 2011 ESA, it appears the conclusions are substantiated by the provided data.

Phase I Environmental Site Assessment, Westin San Jose, 302 South Market Street, San Jose, Santa Clara County, California 95113 (Project 370301), AEI Consultants (AEI), April 7, 2017.

The AEI report was a Phase I ESA conducted in accordance with the current ASTM 1527-13 standard. The study was completed for Hanmi Bank.

AEI reported the subject property as a brewery during the late-1800s and early-1900s, followed by a period of vacancy and subsequent occupancy by the Central Grocery Company in the early- to mid-1920s. AllWest notes the Central Grocery Company listing was for an odd-numbered W. San Carlos Street address and

therefore not a previous property address. Historical addresses were identified as 300 S. Market Street and 40 through 100 W. San Carlos Street. AllWest notes that, based on review of Sanborn maps it does not appear that the 100 W. San Carlos Street and 300 S. Market Street addresses historically were associated with the subject property. AEI documented construction of the hotel in 1926, with significant renovation in 2014-2015.

AEI reported that the previous brewery on the subject property utilized fuel oil for heat. As the property was redeveloped with the hotel, including a basement, a UST or potential soil contamination, if present, was anticipated to have been removed.

During the study, the subject property use was described similarly to that observed for the current study. Hazardous materials or wastes were not observed, nor was evidence of USTs.

File reviews by AEI at the San Jose Fire Department (SJFD), San Jose Building Department (SJBD), Santa Clara County Environmental Health Department (SCCEHD) and Bay Area Air Quality Management District (BAAQMD) revealed no hazardous materials or related records for the subject property. AEI's review of the SCCEHD LUSTOP, no longer in existence, State Water Resources Control Board (SWRCB) Geotracker and California Department of Toxic Substances Control (DTSC) EnviroStor databases identified no listings for the subject property. The San Jose Planning Department reportedly indicated no evidence of Activity and Use Limitations (AULs).

A destroyed inactive municipal/industrial production well was identified on the subject property. Based on the well status, AEI did not identify it as a concern.

AEI identified no RECs, CRECs or HRECs associated with the subject property. The presence of ACM was suspected, and implementation of an asbestos O&M plan was recommended, as was performance of a survey prior to renovation or demolition. The potential for LBP also was identified but not anticipated to be a concern as painted surfaces were in good condition.

Water leaks were observed by AEI in several locations; correction of the water intrusion was recommended.

No vicinity facilities were identified by AEI as being of potential concern to the subject property. AEI did not identify potential vapor migration

concerns from releases at the subject or vicinity properties.

Based on AllWest's review of the 2017 ESA, it appears the conclusions are substantiated by the provided data.

B. HISTORICAL LAND USE: SITE AND VICINITY

1. **HISTORICAL USE OF PROPERTY:** Historical documents in the form of aerial photographs, Sanborn Fire insurance maps, topographic maps, city directories and building records were reviewed by AllWest to evaluate past land use of the site. AllWest attempted to review historical documents as far back in time as the property contained structures or the property was used for agricultural, residential, commercial, industrial or governmental purposes, and used professional judgment to determine the extent of historical research.

Sanborn maps covering the years 1884, 1891, 1915, 1950, 1969 and 1984 were reviewed, as were aerial photographs covering the years 1939, 1948, 1950, 1956, 1963, 1968, 1974, 1982, 1993, 1998, 2006, 2009, 2012 and 2016. Available topographic maps were dated 1889, 1897, 1899, 1953, 1961, 1968, 1973, 1980 and 2012. City directories dated from 1922 to 2017 were also reviewed. The historical sources were obtained from EDR of Shelton, Connecticut and are provided in Appendix A.

Inspection and environmental records available from San Jose and Santa Clara County municipal agencies, including the Assessor's Office, Building Department, Fire Department and Environmental Health Department, and other regulatory agencies, were reviewed as well.

Sanborn Fire Insurance Maps

The Sanborn Map Company of New York produced maps for urbanized areas from the late 1800s to the late 1900s to underwrite potential fire hazards. The maps depict individual buildings and provide descriptive information on building construction materials, hazardous materials and the property's general use.

1884: Facilities of Eagle Brewery were depicted on the subject property, extending off-site to the south. Fermenting, malt house and saloon structures, as well as a boiler, elevated tank, tank house, kettle and cooper, among other structures with illegible labels, were noted to be present.

1891: Eagle Brewery remained on and adjoining south of the subject property, with additional structures present; steam fuel was noted. A small dwelling, corral, and outbuildings also were depicted on the eastern portion of the property.

1915: Eagle Brewery again had increased in size on the subject property, with taller structures including an elevator. Multiple circular structures had illegible labels, and could have been storage tanks. The dwelling, corral and outbuildings no longer were depicted on the eastern portion of the property.

1950: Hotel Sainte Claire, the existing development, was depicted on the subject property, noted as constructed in 1926. Although difficult to read, notations appeared to document electric lights and power and furnace heat. Labeled hotel facilities included a lounge room, lobby, two elevators (in the existing passenger elevator locations), hallway, open court (existing atrium), restaurant, dining room, banquet room and kitchen, storage, offices and seven stores along the W. Santa Clara Street frontage. Many other labels were illegible. Additional subject property addresses were indicated as 40 through 92 (even) W. San Carlos Street.

1969: There were no significant changes from the 1950 map.

1984: There were no significant changes from the 1950 map, although the name of the hotel was Hotel Hilton Sainte Claire.

Aerial Photos

The existing hotel building was visible on each aerial photograph dated from 1939 to 2017, with no significant discernable changes.

Topographic Maps

1889 - 1899: The subject property was depicted within a developed area of San Jose. Several small structures were depicted along the S. Market Street frontage.

1953 - 1980: The subject property was located within a shaded area, indicating urban development.

2012: No development was shown on the map, only streets and bodies of water.

City Directories

Several city directories, dated 1930 through 2017, included listings for the subject property's

current and previous addresses. The listings included the following.

1930: San Jose Ad Club, WA Newcomb, Hotel Sainte Claire, Hotel Sainte Claire Barber Shop, United Spanish War Veterans, Hotel Sainte Claire Beauty Parlor, Raches Sainte Claire Gown Shop, Western Pacific Railroad Company

1935: Physicians Exchange, WA Newcomb, Hotel Sainte Claire, Mrs. GM Healey, MJ Brassill barber, Hotel Sainte Claire Beauty Salon, San Saunders Service Collections, Mrs. GG McCarthy notary, EP Alderman real estate, Mrs. Vida Strathatos florist, National Cash Register Co., Hotel Sainte Claire Coffee Shop, VL Rankin adv, railroad companies

1940 & 1945: CJ Seneker, Physicians Exchange, Hotel Sainte Claire, Mrs. GM Healey, HM Steiling/MF Brassill barber, FJ Robertson shoe shiner, Mrs. Clorinda Geoffroy/LG Springer beauty salon, Jereine Newcomer notary public, AP Alderman real estate, R Stowell letter shop, Mrs. Vida & Carl Stathatos florist, Hotel Sainte Claire Coffee Shop, FD Craig chiropodist, HR Johnson jeweler, railroad companies, Mrs. D Gelano milliner, Mrs. CP Graham womens clothing, San Jose Travel Service

1950: Hotel Sainte Claire, HM Sterling barber, Nicholas Silvestri shoe shine, Margaret Delany beauty shop, Carl Stathatos florist, Winifred Long milliner, Sainte Claire Clothing Shop, St. Claire Coffee Room, SF Butera jeweler, HR Johnson watch repair

1955: Bert Schroeder Men's Clothing, Sainte Claire Cigar Shop, Philip Riley, Physicians Exchange, Hotel Sainte Claire, Del Ora Room (cocktails), Sainte Claire Barber Shop, Sainte Claire Salon De Beauty, Sainte Claire Flower Shop, The Shadow Box, Winifred Long Milliner, Jerry Davis Travel Service, Hotel Sainte Claire Coffee Room, San Jose Hearing Clinic, Sainte Claire Jewelers, Michael the Tailor, Jerry Davis Travel Luggage Mart

1957: Walter Radell Co., St. Claire Barber Shop, Saint Anthony Lodge, St. Claire Hotel Salon of Beauty, Burkes Wixom Jewelry, Sainte Claire Flower Shop, Winifred Long Millinery, Andre Appliance Service, Russell Johnson Plumbing, San Jose Hearing Clinic, St. Claire Jewelers, Arena Originals, Dorothy Kelley, Johnson Machine Shop

1960: University Club of San Jose, Town & Country Travel, Serra Club, San Jose lions Club, Sainte Claire Smoke Shop, Rotary Club of San Jose, San Jose Box Office lobby, Kiwanis Club of

San Jose, Hotel Sainte Claire, Ralph Cobb, Dale Carnegie Club, Sainte Claire Travel Sen Inc., Kelly Blemont real estate, Sainte Claire Flower Shop, Sainte Claire Beauty Salon, Sainte Claire Barber Shop, Sainte Claire Smoke Shop, San Jose Hearing Clinic

1963: Sainte Claire Hotel Barber Shop, Sainte Claire Beauty Salon, Sainte Claire Travel Service

1966: Viking Sauna Bath, Toastmaster Club, Sainte Claire Hotel, Rotary International Club, Lions Club of San Jose, Kiwanis Club of San Jose, Gaslight Room Cocktail Lounge, Ralph Cobb, Chamber of Commerce, Dale Carnegie Club, Sainte Claire Smoke Shop, Sainte Claire Barber Shop, Sainte Claire Beauty Salon, La Joya Jewelry Repair, Sainte Claire Travel Service, Buffet the Restaurant,

1970: Town Club, Sainte Claire Hotel, KPLX radio station, Gaslight Room (cocktail lounge), Lloyd Anderson, St Claire Travel Service, La Joya Jewelry Mfg, Sainte Claire Barber Shop, Sainte Claire Liquors

1975: Grace Ferol Thompson, See Credit Bureau of Santa Clara Valley, Cherokee Girls, Black Senior Center, Sainte Claire Hotel, Bob Fectil Premier Motors, La Joya Jewelry Mfg, St. Claire Delicatessen

1980: Henry Schissler, Sainte Claire Massage Studio, GE Jacques, Estelle Cornelis, Folger Birdseye, Jimmie Anderson

1985: St. Claire Hilton, Sherry Paull & Co., San Jose Historical Museum, Sainte Claire Hilton, Hamasushi Cupertino, TS Montgomery

1986: A West, TS Montgomery, St. Claire Hilton, St. Claire Cadillac, Sherry Paull & Co, SFO Helicopter Airlines, San Jose, L West Box Office, Hamasushi

1991: Travel Planners Sainte Claire, St. Claire Hilton, San Jose, Hamasushi, City Centre

1994: Sainte Claire Hotel, Il Fornaio Cucina Italiano

1996: Il Fornaio

1999: Il Fornaio, Hyatt Hotels & Resorts

2004: Mobedshahi Hotel Group, Hyatt Hotels & Resorts

2006: Sainte Claire Hotel, Il Fornaio

2009: SC Plumbing, Larkspur Hospitality Division, Il Fornaio Corp.

2014: Sainte Claire Hotel, Il Fornaio

2017: The Westin San Jose, Sainte Claire Hotel, Il Fornaio, Affordable TV Repair

Building Department Permits

Building permit records for the subject property were reviewed through the City of San Jose online permit database. The earliest permit available was an electrical permit for the St. Claire Hilton, dated 1953. A restaurant first was documented in 1963 and a radio station was documented in 1969. Additional permits were for numerous modifications, improvements and renovations to the hotel, with the most recent permit records dated 2016.

CUPA Records

Hazardous materials-related records for the subject property address were requested from the SCCEHD. The SCCEHD is the Certified Unified Program Agency (CUPA) for San Jose. The SCCEHD reported no CUPA records for the subject property.

The SJFD previously maintained hazardous materials records for San Jose. No SJFD records pertaining to hazardous materials were identified through the City of San Jose online permit database.

Regulated Site Portal Database

The California Environmental Protection Agency (CalEPA) Regulated Site Portal (RSP) database, a repository of information for facilities under regulatory agency oversight for hazardous materials, hazardous waste, USTs, leaking UST (LUST) cleanups, and/or air emissions, was reviewed on-line. The subject property was not included on the RSP.

Summary of Historical Land Use

AllWest's land use history review for the subject property indicated it was developed as early as the 1880s through at least the mid-1910s with portions of the Eagle Brewery. Subsequently, the existing hotel was constructed in 1926. Originally known as the Sainte Claire Hotel, multiple hotel companies have operated the hotel to the present. From the 1930s to the 1970s, the hotel included multiple commercial suites which were occupied by a variety of stores, barbers, beauty salons, florists and offices. Significant renovations to the hotel were documented in

1982, 1992 and 2015. The Westin San Jose has operated at the subject property since 2015.

AllWest's assessment of the site's historical land use activities did not encounter data gaps that diminish our ability to provide an opinion on a release or potential release of hazardous substances at the subject property.

2. **HISTORICAL USE OF THE SURROUNDING PROPERTIES:** AllWest reviewed the previously referenced Sanborn maps, aerial photographs, topographic maps and city directories to assess the historical land use in the immediate site area.

Sanborn Fire Insurance Maps

1884: Facilities of Eagle Brewery extended off-site to the south, with additional small commercial and storage structures also depicted south of the subject property. Properties to the west were largely undeveloped. Properties to the north and east were depicted with small stores, dwellings and unlabeled structures.

1891: Immediate vicinity development remained similar to that depicted on the 1884 map, but had increased in density with additional dwellings, especially on properties to the south. Garden City Wood and Coal Yard adjoined west of S. Market Street with an additional facility east of S. First Street.

1915: Multiple small stores, a bake house and other commercial structures were depicted adjoining north of W. San Carlos Street. Eagle Brewery remained on property adjoining south. Property adjoining west of S. Market Street was undeveloped, with the remainder of the block including churches and dwellings. A fuel yard, dwelling and garage with machine shop were depicted east of the subject property.

1950: Dense development was depicted on the majority of the properties in the immediate vicinity. Stores and restaurants predominated adjoining north of W. San Carlos Street. City offices and a servicemen's club were adjoining northwest. The Fox California Theatre and a parking lot adjoined south, as did large structures housing stores and a hotel. A gas station with auto servicing, as well as a parking structure, adjoined west of S. Market Street. The existing Sainte Claire building adjoined east of the subject property, labeled as stores constructed in 1924.

1969: A parking lot and office building adjoined north of W. San Carlos Street. Property adjoining south remained similar to that described for the 1950 map, although the parking lot had been

developed with a parking structure. The property adjoining west of S. Market Street remained a gas station, but in a different configuration and with a large auto service building. There were no significant changes noted to property adjoining east.

1984: A parking lot occupied the majority of the property adjoining north, with the previous office building also remaining. A city park was noted on adjoining northwest. There were no significant changes from the 1969 map noted on other adjoining properties.

Aerial Photos

1939: With the exception of what appeared to be the gas station adjoining west, as depicted on Sanborn maps, adjoining properties appeared densely developed with low-rise structures. A parking lot adjoined the subject property to the south, associated with the theater. A park adjoined northwest.

1948: There were no significant changes from the 1939 photograph, with the exception of a small structure visible on property adjoining northwest.

1950: There were no significant changes from the 1948 photograph.

1956: There were no significant changes from the 1950 photograph.

1963: Properties adjoining were developed with a parking lot followed by low-rise buildings. There were no additional significant changes from the 1956 photograph.

1968: There were no significant changes from the 1963 photograph.

1974: A building had been constructed on a portion of the parking lot adjoining north. A different gas station configuration was visible on the property adjoining west, as depicted on the Sanborn maps. The parking structure adjoining south and associated with the theater also was visible, as depicted on Sanborn maps. There were no additional significant changes from the 1968 photograph.

1982: With the exception of the commercial building visible on the 1974 map, many of the properties north of W. San Carlos Street had been converted to parking lots. A building appeared under construction a short distance northeast. There were no additional significant changes to adjoining properties from the 1974 photograph.

1993: The property adjoining west of S. Market Street was developed as a parking lot with the gas station/auto repair structures no longer present. Property adjoining northwest appeared to be a park with the former structure removed. The convention center building had been constructed a short distance southwest. There were no additional significant changes to adjoining properties from the 1982 photograph.

1998: There were no significant changes from the 1993 photograph.

2006: The existing hotel on the property adjoining west had been constructed. There were no other significant changes from the 1998 photograph.

2009: Adjoining properties all appeared developed to the existing configuration.

2012: There were no significant changes from the 2009 photograph.

2016: There were no significant changes from the 2012 photograph.

Topographic Maps

1889 - 1899: The immediate vicinity of the subject property was depicted within a developed area of downtown San Jose.

1953 - 1980: The subject property was located within a shaded area, indicating dense urban development.

2012: No development was shown on the map, only streets and bodies of water.

City Directories

Previously referenced city directories were reviewed for vicinity facility listings indicative of potential environmental concern. Listings were largely for commercial businesses, including theaters, hotels, stores and offices. Cleaners were listed at several addresses appearing adjoining north of W. San Carlos Street (generally cross- to down-gradient) in the 1930s to 1960s. Gas stations were listed at several locations on S. Market Street in the 1940s to 1960s, including adjoining west (generally cross-gradient) and within 1/8 mile south-southeast (generally up-gradient). Auto repair facilities were documented in similar locations from the 1930s to 1970s.

Summary of Historical Vicinity Land Use

AllWest's adjoining land use history review indicated adjoining properties were developed as

early as the late-1800s. Dense, predominantly commercial, development appeared present on adjoining and nearby vicinity properties by the 1930s and continuing through the present. The existing adjoining property development generally was established by 2009.

A gas station was documented on the property adjoining west between the 1940s and 1980s. This property was redeveloped with a high-rise hotel in the 2000s. Additional gas stations and auto repair facilities were documented at multiple cross- and up-gradient proximate locations from the 1940s to 1960s. Dry cleaners were listed at several adjoining down-gradient addresses in the 1930s to 1960s.

AllWest's assessment of the site's current and historical surrounding land use did not encounter data gaps that diminish our ability to provide an opinion on a release or potential release of hazardous substances at the subject property.

C. PHYSICAL CHARACTERISTICS

1. **TOPOGRAPHY**: Subject site topography is generally level, at an elevation of approximately 98 feet above msl. Topography in the vicinity of the subject property descends gently towards the northwest.
2. **VEGETATION**: Vegetation on the subject property was limited to street trees along S. Market Street and planters along W. San Carlos Street. Evidence of stressed vegetation was not observed.
3. **SOILS**: Soils at the subject property are classified by the U.S. Department of Agriculture Soil Conservation Service as Botella. The Botella series consists of clay loam with moderate infiltration rates and moderately coarse textures. Botella soils are moderately well- and well-drained.

Exposed soil was not present on the subject property, with the exception of that within planted areas. No evidence of discolored soil was observed.
4. **GEOLOGY**: Based on a review of the USGS Note 36 California Geomorphic Provinces map, the property is located in the Coast Ranges geomorphic province of California. The coastline is uplifted, terraced and wave-cut. The Coast Ranges are composed of thick Mesozoic and Cenozoic sedimentary strata. The northern and southern ranges are separated by a depression containing the San Francisco Bay.

The northern Coast Ranges are dominated by the irregular, knobby landslide-topography of the Franciscan Complex. The eastern border is characterized by strike-ridges and valleys in Upper Mesozoic strata. In several areas, Franciscan rocks are overlain by volcanic cones and flows of the Quien Sabe, Sonoma and Clear Lake volcanic fields. The Coast Ranges is subparallel to the active San Andreas Fault. The San Andreas is more than 600 miles long, extending from Point Arena to the Gulf of California. West of the San Andreas is the Salinian Block, a granitic core extending from the southern extremity of the Coast Ranges to north of the Farallon Islands. Geologically, the area of the subject property is underlain by Mesozoic era Eugeosynclinal Deposits.

5. **HYDROLOGY:** According to California's Groundwater Bulletin 118, the subject property is located in the San Francisco Bay Hydrologic Region and lies in the Santa Clara Valley Groundwater Basin, Santa Clara Subbasin (Basin No. 2-9.02). The Santa Clara Subbasin occurs within a structural trough running generally parallel to the northwest-trending Coast Range Mountains, extending from northern Santa Clara County southwards to the groundwater divide near Morgan Hill.

The water-bearing formations of the Santa Clara Sub basin are comprised of the Plio-Pleistocene and Holocene-age continental deposits of the Santa Clara Formation and Pleistocene-Holocene Alluvium.

Based on vicinity hydrological data available on the Geotracker database, shallow groundwater is present at approximately 25 to 30 feet below ground surface in the property vicinity. Ground water flow varies between a west-northwesterly and a northeasterly direction.

The nearest significant surface water to the subject property is the Guadalupe River, located approximately ¼ mile west of the property.

D. NATURAL HAZARDS

1. **SEISMICITY:** The State of California is considered seismically active, and earthquakes are an unavoidable geologic hazard in Santa Clara County. Based on available geologic literature, no active fault traces traverse the property. The property is not located within an Alquist-Priolo Special Study Zone for fault rupture hazard. California Department of Conservation mapping indicates the property within a liquefaction zone.

The nearest fault system to the subject property is the Silver Creek Fault, located approximately 1.5 miles distant (City of San Jose 1992).

2. **RADON:** Out-gassing of radon has not been identified as a problem in Santa Clara County. The U.S. 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, Zone 1 being those areas with the average predicted indoor radon concentration in residential dwellings exceeding the EPA Action Limit of 4.0 picoCuries per Liter (pCi/L) and Zone 3 being those areas with the average predicted indoor radon concentration in residential dwellings less than 2 pCi/L.

It is important to note that the California Department of Health Services (DHS), in its California Statewide Radon Survey of 1990, has found homes with elevated levels of radon in all three zones, and both EPA and DHS recommend property-specific testing in order to determine radon levels at a specific location. However, the DHS Radon Survey does give a valuable indication of the propensity of radon gas accumulation in structures.

Review of the DHS Radon Survey places the property in Zone 2, where average predicted radon levels are between 2.0 and 4.0 pCi/L. Five State radon tests were conducted in the site zip code of 95113; radon reportedly did not exceed 4 pCi/L in any of the tests. Federal radon testing at 70 sites in Santa Clara County revealed average 1st and 2nd floor living area and basement radon concentrations of less than 4.0 pCi/L, with 91% of the 1st floor results less than 4.0 pCi/L.

Based on the radon zone classification, test data and commercial property use, radon is not a significant environmental concern.

3. **SENSITIVE ECOLOGICAL AREAS:** Sensitive ecological areas include wetlands, rivers or creeks, marsh areas and land dedicated for open space. The U.S. Fish and Wildlife Service National Wetlands Inventory database did not depict designated wetlands on or adjoining the subject property.

The nearest designated wetlands were depicted along the Guadalupe River approximately ¼ mile west.

4. **FLOODING:** FEMA Flood Insurance Map Community Panel No. 06085C0234H, dated May 18, 2009, depicts the subject property within flood zone D, an Other Area of Flood Hazard, designated as an area of flood risk due to levee.

5. **MASS WASTING:** No physical evidence of mass wasting, such as landslides or ground subsidence, was observed at the property.
6. **OIL AND GAS WELLS:** According to the California Department of Conservation, Geologic Energy Management Division (CalGEM) map, no oil or gas wells are located on or adjoining the subject property.

E. SITE CHARACTERISTICS

1. **PARKING:** There is no parking provided on the subject property.
2. **ROADWAYS:** S. Market Street adjoins the subject property to the west and W. San Carlos Street adjoins to the north. There are no roadways located on the subject property, however access driveways/alleys to loading dock areas appear present within easements adjoining south.
3. **FENCES:** No fencing is located on the subject property. Gates restrict access to the loading dock driveways/alleys adjoining south.
4. **OUTSIDE STORAGE:** No outside storage was observed at the subject property. Dumpsters and waste cooking grease/oil containers appeared present in adjoining driveway/alley easements.
5. **BASEMENTS:** A basement is present beneath the hotel. The finished basement was observed to include a fitness room, guest restrooms, air supply room, hotel business offices, paint room, employee break room, shop/electrical room, boiler room, hotel laundry and hydraulic elevator room. Many of these areas are discussed elsewhere in this report.
6. **EASEMENTS:** Easements noted on the subject property in the User-provided ALTA survey included one for "perpetual right of way" on the eastern loading dock and one for "perpetual, assignable avigation and a right of way for the free, unrestricted passage of aircraft and incidental purposes", likely applying to the airport flight path, across the entire property.

Easements in the property owner-provided title report were those described previously, as well as what appeared to be access easements for adjoining properties on the alley/driveways along the subject property loading dock areas on the south side of the property.

7. **WELLS:** Valley Water documented one destroyed water production well along the S. Market Street property frontage, just south of the hotel entrance. No well details were included in the database, and no further information was

identified. This well may have been an historical production well.

No evidence of monitoring, production, dry, domestic water, irrigation or injection wells was observed on the property during the site reconnaissance.

8. **SUMPS:** A 3,000-gallon sewer sump was observed in the basement boiler room. Equipped with two pumps, the sump reportedly is discharged to the municipal sanitary sewer system.

A large grease interceptor for the Il Fornaio restaurant kitchen is located in the eastern loading dock; access covers on top of the interceptor were observed in the concrete loading dock surface. Pumping of the interceptor contents on a periodic basis was reported by the site representatives.

9. **STORM WATER DRAINS:** Storm drains were not observed on the subject property. Storm water runoff is directed to storm drains located within the adjoining streets and driveways.

The property does not fall under requirements of the National Pollutant Discharge Elimination System (NPDES).

10. **PONDS:** No ponds or other bodies of water were observed on the subject property.
11. **SEWAGE SYSTEM:** The subject property is connected to the municipal sanitary sewer system operated by the City of San Jose with wastewater treatment through the San Jose-Santa Clara Water Pollution Control Plant (WPCP). The WPCP had not responded to a request for industrial or other waste water discharge permit records at the time this study was completed.
12. **POTABLE WATER SYSTEM:** There are underground water lines at the property. Potable water is supplied by the San Jose Water Company (SJWC). The SJWC's 2020 Annual Water Quality Report was available on-line, the most recent year for which a report was available, and documented compliance of the water provided with all applicable water quality standards.
13. **WASTE WATER SYSTEMS:** No wastewater treatment systems are located on the subject property, with the exception of the grease interceptor (Section E.11).
14. **POWER DISTRIBUTION SYSTEMS:** Electricity and natural gas are provided to the property by Pacific Gas & Electric Company (PG&E). A

vaulted PG&E transformer was located in the W. San Carlos Street sidewalk; the vault was not accessed during the site reconnaissance. As the owner, PG&E would be responsible for any related issues.

F. HAZARDOUS MATERIALS IN FACILITY AND OPERATIONAL SYSTEMS

1. **BUILDING STRUCTURE:** The hotel is of concrete-frame construction with a concrete basement foundation. Additional structural information is included in AllWest's related reports issued under separate cover.
2. **BUILDING MATERIALS:** The exterior finish of the hotel's street frontages is buff-colored concrete block at ground level, with floors two through six finished with tan brick. Exterior walls not visible from adjoining streets are finished with painted stucco or concrete. Building roofs are finished with a sheet material.

Interior wall finishes include painted and textured, as well as unfinished, gypsum board and wood paneling. Ceiling finishes include decorative wood, acoustic ceiling tile and painted and textured, as well as unfinished, gypsum board. Floor finishes include carpet, ceramic and marble tile, vinyl flooring and sealed, painted and unfinished concrete.

Building materials observed were in good condition in guest-accessible areas. Materials were in fair to good condition in utility, back of house and exterior loading dock areas. Damaged/very aged vinyl flooring was observed in a rooftop penthouse storage room. Damaged stucco and damaged/peeling paint were observed on exterior walls in the loading dock areas. Damaged wallboard and paint were observed on interior back of house and utility area walls.

ASBESTOS

The User provided AllWest with three previously-prepared documents presenting results of asbestos surveys and asbestos analytical data. A 1991 pre-abatement asbestos survey by Dames & Moore and a 2017 limited asbestos survey conducted by AEI included collection of numerous building material samples of suspect ACM.

Dames & Moore identified friable ACM in sprayed-on ceiling materials and pipe insulation; non-friable ACM was identified as elevator brake

shoes, roofing materials, transite vents, floor tiles and sheet flooring.

Analyzed materials identified by AEI as containing chrysotile asbestos are the following.

- Silver tape on 6th floor roof parapet cap (2%)
- Black/silver mastic 2 on 6th floor roof parapet base, bottom lip (<1%)
- Exterior white caulk on roof storage around main door frame (4%)
- Silver paint on roof storage exterior façade (2%)

AEI stated that thermal system insulation (TSI) pipe wrap reportedly determined to be ACM in a 1991 survey was not observed at the time of the 2017 survey; TSI observed was identified as fiberglass and paper wrap or rubberized covering.

Additionally, an analytical data sheet for analysis of a roofing material sample analyzed in 2017 documented no asbestos.

As part of this environmental assessment, AllWest observed the building premises for potential ACM such as floor coverings, ceiling and wall materials, bulk insulation and fireproofing. Observed materials appeared generally in good condition, with some damaged vinyl flooring and gypsum board walls in the back of house and utility areas. Exterior walls adjoining the rooftop cooling towers were labeled as asbestos-containing. Building personnel had no additional information on what materials the labeling referred to.

Asbestos abatement reportedly has been conducted during building renovations. No specific documentation of abatement activities was available. Disposal of asbestos-containing waste in 1992 and 1994 was documented in HAZNET database listings (Section I).

Based on the age of the building, completed in 1926, ACM may remain present in areas not significantly renovated since that time. We recommended an asbestos-containing building materials O&M program be implemented. An O&M program details procedures designed to ensure that asbestos containing building materials, whenever possible, remain undisturbed to minimize the likelihood of exposing building tenants and workers to airborne asbestos fibers.

Prior to significant renovation of the structure, a pre-demolition asbestos survey must be conducted by a licensed consultant. Identified materials must be appropriately abated.

MOLD

As part of this environmental assessment, AllWest visually inspected the building premises for the presence of significant mold growth and evidence of water intrusion including walls, ceilings and utility areas. No indications of significant water damage were observed; no visual indications or olfactory signs of significant mold were noted during the site reconnaissance.

LEAD BASED PAINT

Due to the age of the building, constructed prior to the 1978 federal ban on LBP, painted surfaces are anticipated to include lead-based coatings. Painted surfaces were noted to be in generally good condition in guest-accessible areas. Some damaged paint was observed on loading dock area exterior walls. Damaged paint should be mitigated.

Prior to significant renovation of the structure, a lead-based paint survey should be conducted and identified materials appropriately handled/mitigated.

3. **MECHANICAL AND HVAC SYSTEMS:** HVAC equipment includes rooftop units, exhaust fans and cooling towers. Natural gas-fired boilers and air supply units are present in the hotel basement.
4. **BUILDING EQUIPMENT:** Two passenger elevators and one service elevator, all overhead traction units, serve the basement through 6th floor of the hotel. These elevators reportedly were modernized in 2017 and appeared in good condition.

A hydraulic kitchen elevator serving the basement and 1st floor was installed in 2002 and is in poor condition, appearing unmaintained. Observation of the hydraulic elevator pit by the elevator consultant revealed visual evidence it previously had been filled with hydraulic fluid.

Further discussion of the elevator systems at the subject property, as well as recommendations, are included under separate cover.

A hydraulic box crusher is located adjoining the eastern loading dock. Evidence of significant hydraulic fluid releases was not observed.

5. **INDUSTRIAL EQUIPMENT:** Laundry facilities for hotel linens are located in the basement. Several commercial washers and dryers were observed in the laundry room. No dry cleaning is conducted at the hotel and reportedly was not anticipated to have been conducted historically,

based on knowledge provided by the hotel manager. No documentation of on-site dry cleaning was found by AllWest.

A variety of commercial kitchen equipment was observed in the on-site Il Fornaio restaurant kitchen. As discussed in Section D.8, a subgrade grease interceptor for the kitchen is located in the eastern loading dock.

G. HAZARDOUS AND NON-HAZARDOUS MATERIALS AND WASTES

1. **MANUFACTURE/USE:** Manufacturing is not conducted at the subject property. The existing facility has been occupied by the Sainte Claire Hotel and associated commercial and restaurant businesses, as well as a radio broadcast station, since construction.

Prior to construction of the hotel, the subject property was developed as part of a brewery, with expected production of beer.

2. **STORAGE:** Small, unregulated quantities of hazardous materials were observed at the subject property, primarily janitorial/housekeeping materials, laundry materials and maintenance materials. Materials were stored within a variety of locations in the basement and other mechanical and utility areas. Evidence of significant leaks or spills associated with the stored materials was not observed.

A summary of the materials observed is presented in Table 1.

Table 1. Observed Hazardous Materials

Type	Quantity	Location
Janitorial cleaners	Few @ 1 gallon or less	Basement storage rooms, janitorial and housekeeping closets, rooftop passenger elevator equipment room
Laundry-related materials	Wall-mounted dispenser, five @ 5-gallon containers, several 1-quart spray bottles and 1-gallon containers	Basement laundry room
Paints	Numerous @ 1- & 5-gallon containers	Basement paint room and rooftop passenger elevator equipment room
Maintenance materials	Assorted aerosol cans, as well as small gasoline and paint thinner containers	Flammables storage cabinet in basement paint room
Cooling tower water treatment	Approximately 35-gallon plastic	Rooftop service elevator room

	container	
Hydraulic oil bucket	Reportedly empty	Hanging from ceiling in rooftop service elevator room to catch water from past roof leak
Refrigerant	Unknown quantity within HVAC units	Lower level rooftop

The SCCEHD reported no hazardous materials records for the subject property; hazardous materials documents archived by the SJFD were not identified on the City of San Jose online permit database. The subject property was not included on the RSP database.

Mobedshahi Hotel Group LLC was included on the San Jose HAZMAT database in the regulatory agency database report (Section I), as a miscellaneous simple facility. No date or further information was included in the database listing, which is not indicative of an environmental concern but rather of environmental compliance.

3. GENERATION & DISPOSAL: No hazardous waste generation was observed or reported at the subject property by the current occupant.

Sainte Claire a Larkspur Hotel was listed on the Hazardous Waste Tracking System (HWTS) database as summarized in the regulatory agency database report (Section I), for disposal of unspecified hazardous waste in 2006. Mobedshahi Hotel Group LLC was included on the HAZNET and HWTS databases in the regulatory agency database report for disposal of 0.25 ton other organic solids in 2003. No source of the materials was indicated.

4. UNDERGROUND STORAGE TANKS: No information indicating the current presence of USTs at the site was encountered in information sources available for this study; evidence of current USTs was not observed.

Documentation of historical USTs also was not encountered. However, based on the date of construction for the existing hotel, an undocumented fuel oil UST could remain present on the subject property. A UST survey is recommended.

5. ABOVEGROUND STORAGE TANKS: Visual or documentary evidence of existing or former aboveground storage tanks (ASTs) was not identified.
6. SOLID WASTE: Four dumpsters were staged in the western alley/loading dock adjoining the southern side of the subject property. Disposal of municipal waste at the subject property is conducted by Republic Services.

Two 55-gallon drums of waste cooking oil and a small dumpster and bin of waste cooking grease were staged adjoining the eastern loading dock. Waste cooking oil and grease reportedly are transported from the site by a contractor on a periodic basis.

7. MEDICAL WASTE: Current or historical generation of medical waste was not documented on the subject property. One medical sharps disposal container was observed in the basement housekeeping office.

H. POLLUTION SOURCES, CONTROLS AND TREATMENT

1. AIR: The subject property was not included on the Emissions Inventory (EMI) database reviewed in the EDR report (Section I). The BAAQMD reported no emission permits for the current or former hotel operators.
2. SOIL & GROUNDWATER: The subject property is not a recorded source of soil or ground water contamination. The DTSC EnviroStor and SWRCB GeoTracker databases were reviewed online; the subject property was not included on either database.
3. VAPOR INTRUSION: As part of our assessment, AllWest evaluated the potential for vapor intrusion into property structures following the general methodology outlined in ASTM E-2600-15, utilizing professional judgment.

The Tier 1 screening assessment was employed to determine if a potential vapor intrusion condition (VIC) exists at the site. The subject property, adjoining properties, and hydraulically up-gradient properties were assessed to determine known or suspect contaminated sites within approximate minimum search distances.

A Tier 1 screening assessment consists of a search distance test to identify if there are any known or suspected contaminated sites within the primary and secondary areas of concern; a chemicals of concern test to determine if chemicals of concern exist at the known or suspected contaminates sites; and a plume test to determine whether or not chemicals of concern in the contaminated plume may be within the critical distance.

The critical distance is defined as the linear distance in any direction from the nearest edge of the plume to the site. If the distance from the site to the nearest edge of a petroleum hydrocarbon plume is less than 30 feet or less than 100 feet for non-petroleum chemicals of concern, then it is

presumed that a potential vapor intrusion condition (pVIC) exists and additional screening may be necessary.

The potential for a VIC from current and historical land use activities at the subject property is considered very low.

Although vicinity ground water is documented with petroleum hydrocarbon, and to a lesser extent VOC, impact, no plumes appear within 30/100 feet of the subject property. Resultingly, the potential for a VIC from off-site sources is considered low.

METHANE: No known methane issues were reported for the property. The subject property is not located within 1,000 feet of an active landfill, an active oil well or an abandoned/inactive oil well.

I. REGULATORY DATABASE SEARCH

To identify the site's potential listing in environmental databases and evaluate off-site environmental concerns, AllWest reviewed a site-specific radius report provided by EDR, which searched regulatory agency lists/ databases for recorded sites within the industry standard search radii. The purpose of the records search was to assess the potential presence of hazardous substance contamination at the subject site as a result of activities conducted on properties within the ASTM-designated search distances. A list of the state and federal regulatory databases searched, summary of findings and detailed records are presented in Appendix A.

Regulatory-listed sites and high-risk historical facilities identified by EDR as being within their approximate minimum search distances from the subject property on the ASTM-required databases are listed in Table 2 as well as being summarized in Appendix A and their respective locations identified by number in Appendix A's figures. The number of sites shown in Table 2 may not exactly reflect what is provided in the EDR report due to multiple (duplicate) listings, outdated (historical databases), and differing minimum search radii as specified in ASTM E 1527-13. Additionally, some map locations shown on the EDR figures refer to more than one site, some sites are listed multiple times in the EDR report and some map locations shown on the EDR figures were determined by AllWest to be incorrect.

The EDR report listed numerous orphan sites (sites which addresses are as inadequate or incomplete as to render locating the site on a map

ineffective) that could be within the approximate minimum search distances on the ASTM-required databases. Based on AllWest's review of the provided information, the orphan sites do not appear to be on or adjoining the subject property, or otherwise to be of significant concern.

When reviewing the EDR report, AllWest was particularly interested in the regulatory status of sites within the search radius that were adjoining or hydraulically up-gradient to the subject site. In general, only up-gradient hazardous materials release sites represent a potential environmental impact to the subject property. Chemical release sites located hydraulically down-gradient or cross-gradient (perpendicular) are considered unlikely to impact the subject property.

Ground water flow direction in the vicinity of the subject property is anticipated to vary between the west-northwest and northeast. The anticipated flow direction makes properties generally east-southeast to southwest potentially up-gradient.

For use of small quantities of hazardous materials and limited generation of a small quantity of hazardous waste, as well as asbestos-containing waste, previous Sainte Claire Hotel owners/operators were included on the following databases.

HAZMAT The SJFD's HAZMAT list is a compilation of hazardous materials facilities, including UST sites. The site listing is summarized in Section G.2.

HAZNET The DTSC HAZNET list includes information on sites which submit hazardous wastes manifests for off-site transportation and disposal of hazardous waste. The site listings are discussed in Sections F.2 and G.3.

HWTS The DTSC's HWTS database contains data related to hazardous waste shipments for generators, transporters and TSDFs. Information in the HWTS listings was similar to that included in the HAZNET listings.

A summary of the on- and off-site database listings is included in Table 2.

Table 2. Regulatory Database Search Summary

Section	Regulatory List	Search Radius	Number of Listed Sites within Search Radius	Number of Listed Sites on Subject Property
I.1	NPL	1 mile	None	None
I.2	RESPONSE	1 mile	1	None
I.3	RCRA – CORRACTS	1 mile	None	None
I.4	SEMS	½ mile	1	None
I.5	SEMS – ARCHIVE	½ mile	1	None
I.6	RCRA – TSDF	½ mile	None	None
I.7	RCRA Generators	Site & Adjoining	1	None
I.8	ERNS	Site	None	None
I.9	EnviroStor	1 mile	12	None
I.10	Toxic Pits	1 mile	None	None
I.11	CPS-SLIC	½ mile	21	None
I.12	State Landfills (SWF/LF)	½ mile	1	None
I.13	LUST	½ mile	52	None
I.14	Registered UST/AST	Site & Adjoining	1/0	None
I.15	HAZNET	Site	2	2
I.16	EDR® Historical Manufactured Gas Plants	1 mile	2	None
I.17	EDR® Historical Auto Stations	1/8 mile	18	None
I.18	EDR® Historical Cleaners	1/8 mile	5	None

1. U.S. Environmental Protection Agency: National Priority List (NPL)

The NPL is an U.S. Environmental Protection Agency (USEPA) database listing of the United States' worst uncontrolled or abandoned hazardous waste sites. NPL sites are targeted for possible long-term remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980. In addition, the NPL Report includes information concerning cleanup agreements between the U.S. EPA and Potentially Responsible Parties (commonly called Records

of Decision or RODS), any liens filed against contaminated properties, as well as the past and current U.S. EPA budget expenditures tracked within the Superfund Consolidated Accomplishments Plan (SCAP). The search radius for NPL is one-mile.

The subject property is not listed on the NPL. There are no NPL sites within one-mile of the subject property.

2. California Department of Toxic Substance Control: Equivalent National Priority List (RESPONSE)

The RESPONSE database is a California Department of Toxic Substances Control (DTSC) database listing of the State of California's NPL-equivalent sites. These confirmed release sites are generally high-priority and have a high potential risk. They are those where the DTSC is involved in remediation of the site. The search radius for RESPONSE is one mile.

The subject property is not listed on RESPONSE.

There is one RESPONSE site within one mile of the subject property. San Jose Sports Arena at 525 W. Santa Clara Street, approximately 0.86 mile generally down-gradient, has a status of Certified O&M with a land use restriction. Based on the regulatory status, distance and direction from the subject property, it is unlikely to be of significant concern.

3. U.S. Environmental Protection Agency: Resource Conservation and Recovery Act Information System (RCRIS) Corrective Action (CORRACTS) Facilities

The RCRIS CORRACTS database contains information pertaining to hazardous waste treatment, storage, and disposal facilities (RCRA TSDFs) which have conducted, or are currently conducting, a corrective action(s) as regulated under the Resource Conservation and Recovery Act (RCRA). The search radius for CORRACTS is one mile. The following information is included within the CORRACTS database:

- Information pertaining to the status of facilities tracked by the RCRA Administrative Action Tracking System (RAATS);
- Inspections & evaluations conducted by Federal and state agencies; all reported facility violations, the environmental statute(s) violated, and any proposed & actual penalties; and
- Information pertaining to corrective actions undertaken by the facility or U.S. EPA.

The subject property is not listed on CORRACTS. There are no CORRACTS sites within one mile of the subject property.

4. U.S. Environmental Protection Agency: Superfund Enterprise Management System (SEMS) – Formerly CERCLIS

The U.S. EPA's SEMS database is a newly-implemented application that integrates the former CERCLIS database, the Superfund Document Management System (SDMS) and a few additional internal EPA applications. The

SEMS database is a listing of hazardous waste sites, potentially hazardous waste sites and remedial activities performed in support of the Superfund Program pursuant to Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). SEMS sites have either been investigated, or are currently under investigation, by the U.S. EPA for the release or threatened release of hazardous substances. The SEMS list also includes sites which are either proposed for listing or are listed on the NPL, or which are in the screening and assessment phase for possible NPL inclusion. The search radius for SEMS is ½ mile.

The subject property is not listed on SEMS.

There is one SEMS site within ½ mile of the subject property. River Park Development at Provost Street and Park Avenue, approximately 0.33 mile generally up-gradient, reportedly was listed for the presence of tetrachloroethylene (PCE) in soil and ground water. Although no significant information on the site was included in the database listing, the site was included on the EnviroStor database. Under California Regional Water Quality Control Board (RWQCB) oversight, impacted soil reportedly was removed and ground water was extracted and treated. Cleanup levels in ground water reportedly were achieved in 1996 and soil cleanup completed in 1997. The cleanup order was rescinded in 1998. The site has a regulatory status of Refer: RWQCB as of July 1998.

Based on information included on the EnviroStor database, as well as the distance of the site from the subject property, this SEMS site does not appear to be of significant concern to the subject property.

5. U.S. Environmental Protection Agency: SEMS-Archive – Formerly CERCLIS NFRAP

The U.S. EPA has replaced the CERCLIS No Further Remedial Action Planned (NFRAP) database with the SEMS-Archive database. SEMS-Archive tracks sites that have no further interest to the EPA under the Superfund Program based on available information. Listing on the Archive database indicates that to the best of EPA's knowledge, no further steps will be taken to list the site on the NPL. The U.S. EPA may perform a minimal level of assessment at a SEMS-Archive site if new information becomes available, however. Listing on the SEMS-Archive database does not necessarily indicate there is no hazard associated with the site, only that the site is not judged to be a potential NPL site. The search radius for SEMS-Archive is ½ mile.

The subject property is not listed on SEMS-Archive.

There is one SEMS-ARCHIVE site within ½ mile of the subject property. San Jose State University Chemistry Department at 125 S. 7th Street, reported 0.22 mile north-northwest of the subject property in the EDR report, is actually 0.45 mile northeast and down-gradient. Although no significant information was included in the SEMS-ARCHIVE listing, information for the site on the EnviroStor database indicated no contaminants were found and the regulatory status was No Further Action as of 2001. Based on the available information and down-gradient location, this site is unlikely of significant concern.

6. U.S. Environmental Protection Agency: Resource Conservation and Recovery Act (RCRA) Treatment, Storage, and Disposal Facilities (TSDF)

The RCRA-TSDF is a U.S. EPA listing of facilities that were permitted under RCRA to perform on-site treatment, storage, or disposal of hazardous wastes. The sites listed in RCRA-TSDF do not necessarily pose an environmental threat to the surrounding properties because the TSDF permit imposes stringent monitoring and reporting requirements. The search radius for RCRA-TSDF is ½ mile. The following information is also included in the RCRA TSDF database:

- Information pertaining to the status of facilities tracked by the RCRA Administrative Action Tracking System (RAATS);
- Inspections & evaluations conducted by federal and state agencies; and
- All reported facility violations, the environmental statute(s) violated, and any proposed & actual penalties.

The subject property is not listed as a RCRA-TSDF facility. There are no RCRA-TSDF sites located within ½ mile of the subject property.

7. U.S. Environmental Protection Agency: Resource Conservation and Recovery Act (RCRA) Generator List

The RCRA generators list is a US EPA listing of facilities that generate hazardous wastes or meet other applicable waste generating requirements under RCRA. The sites listed in the RCRA Generator List have not necessarily released hazardous waste into the environment and may not necessarily pose an environmental threat to

the surrounding properties. These listed sites are required to properly contain the wastes generated and remove their wastes from the site within 90 days. Furthermore, the facilities that report waste generation activities are more inclined to perform the required monitoring. The search radius for the RCRIS Generator List is the Site and adjoining properties.

The subject site is not included on the RCRA Generators list.

There is one RCRA Generator listed on a site adjoining the subject property. California Theater at 345 S. First Street, adjoining south and generally up-gradient, was listed as a RCRA Small Quantity Generator (SQG) in 2016 and 2018 for disposal of lead waste. No violations or evaluations were found. As no generator violations were noted and the site was not also included on databases indicative of a release, the RCRA SQG listing indicates environmental compliance and is not indicative of concern.

8. U.S. Environmental Protection Agency: Emergency Response Notification System (ERNS) List

The Emergency Response Notification System (ERNS) list is a U.S. EPA maintained list of reported incidents that concern the sudden and/or accidental release of hazardous substances, including petroleum, into the environment. The search radius for ERNS is the subject property.

The subject property is not listed on the ERNS list.

9. California Department of Toxic Substances Control (DTSC): EnviroStor Sites

The EnviroStor database is a DTSC listing of sites under investigation that could be actually or potentially contaminated and that may present a possible threat to human health and the environment. The search radius for EnviroStor is one mile.

The subject property is not included on the EnviroStor list.

There are 12 EnviroStor sites located within one mile of the subject property, but only two within 1/3 mile. The San Jose State University Chemistry Department site was discussed in Section I.5 and discounted as likely of significant concern. San Antonio Plaza Block 4 North at W. San Fernando Street & 4th Street, approximately 0.33 mile down- to cross-gradient, has a

regulatory status of Certified as of 1995 for polynuclear aromatic hydrocarbons in soil. Based on down-gradient location, regulatory status and impact reported to soil, this site is unlikely of significant concern.

Based on location of the other EnviroStor sites, they also are unlikely of significant concern to the subject property.

10. California Department of Toxic Substances Control: Toxic Pits Cleanup Act Sites (Toxic Pits)

The Toxic Pits database is a California DTSC listing of hazardous waste cleanup sites regulated pursuant to the California Toxic Pits Cleanup Act (Toxic Pits). It identifies sites suspected of containing hazardous substances where cleanup has not yet been completed. We note, this database has not been updated since July 1995. The search radius for Toxic Pits is one mile.

The subject property is not listed on the Toxic Pits site list. There are no Toxic Pits sites located within one mile of the subject property.

11. California Regional Water Quality Control Board: Clean-up Program Sites (CPS) - Spills, Leaks, Investigations, and Cleanup (SLIC)

The CPS-SLIC is a California Regional Water Quality Control Board (RWQCB) listing of sites that have reported spills, leaks, investigative activities, and/or cleanup actions. The search radius for CPS-SLIC is ½ mile.

The subject property is not included on the CPS-SLIC list.

There are 21 SLIC sites within ½ mile of the subject property, eight of which are within 1/3 mile. Of the eight SLIC sites within 1/3 mile, four are at potentially up-gradient locations.

River Park Development at Provost Street & Park Avenue was discussed previously in Section I.4 and discounted as likely of significant concern.

The Firestone Mixed-Use Development at 477 S. Market Street, approximately 0.17 mile potentially up-gradient, has a regulatory status of Open-Site Assessment as of July 2019 for benzene and 1,2-dichloroethane (1,2-DCA) in ground water. Based on the most recent sampling data available on the Geotracker database (September 2020), benzene at 1.2 micrograms/liter (ug/L) and 1,2-DCA at 4.1 ug/L were documented in one dewatering well. These

concentrations were beneath the SWRCB ESLs for screening of potential vapor intrusion concerns on commercial properties. Ground water flow direction at the site was not discussed in the available report. Based on the concentrations documented, this site is unlikely of significant concern to the subject property.

Pierce Development at 561-599 S. Market Street, approximately 0.29 mile up-gradient, has a regulatory status of Completed-Case Closed as of July 2015 per information available on the Geotracker database, with a deed restriction in place for residual soil and ground water impact.

Residual groundwater contaminant concentrations at site closure in 2015 were reported as 39,300 parts per billion (ppb; ug/L equivalent) total petroleum hydrocarbons as gasoline, 221 ppb benzene and 129 ppb naphthalene, among other contaminants, in ground water grab samples. Actual ground water concentrations may be lower if sampled via monitoring wells. 366 micrograms/cubic meter (ug/m³) benzene, 6.99 ug/m³ PCE, 15.2 ug/m³ 1,1,1-trichloroethane (TCA), 6.02 ug/m³ trichloroethylene (TCE) and 4.73 ug/m³ styrene remained in soil vapor. AllWest notes these residual concentrations significantly exceed current ground water ESLs for screening of vapor intrusion concerns on commercial properties and the benzene soil vapor ESL for commercial properties.

Based on the documented groundwater concentrations at the Pierce Development site, there is a low likelihood that contaminants have migrated down-gradient in ground water and significantly impacted the subject property. Although the Pierce 2015 soil vapor data exceeds current ESLs, considering the distance between that site and the subject property and the Westin's subgrade level, we opine vapor intrusion is also not a concern.

Arya Affordable Housing at 500 S. Almaden Boulevard, approximately 0.28 mile south-southwest, has a regulatory status of Open-Assessment & Interim Remedial Action as of October 2020. Based on information available in the Geotracker database for the site, ground water flow appears to be towards the northwest. As this site appears likely cross-gradient of the subject property, it is unlikely of significant concern.

The San Jose Convention Center South Hall listed approximately 0.04 mile west-northwest on South Market Street, actually is approximately 0.11 mile distant. Ground water flow direction

measured at the site, as reported on the Geotracker database, is towards the south however, placing it down-gradient of the subject property. Based on location, this site is unlikely of significant concern.

Based on distance and/or location of the remaining SLIC sites, they also appear unlikely of significant concern.

12. California Integrated Waste Management Board: Solid Waste Information System (SWF/LF) Facilities

The SWF/LF is a California Integrated Waste Management Board (CIWMB) listing of all permitted active, inactive, or closed landfills. The search radius for SWF/LF is ½ mile.

The subject property is not listed on SWF/LF list.

There is one SWF/LF site within ½ mile of the subject property. R and G Environmental Services, approximately 0.25 mile cross-gradient at E. San Salvador and S. Fourth Streets is listed with an active status; no further information was available on the operations conducted at the site. Based on observation of the site on Google Earth aerial photography, it does not appear to be an active landfill; the site was not included on additional databases indicative of a release. Based on the distance, location and lack of documented releases, this site appears unlikely of significant concern to the subject property.

13. California Regional Water Quality Control Board: Leaking Underground Storage Tanks (LUST)

The LUST list is a California RWQCB listing of sites that have reported leaking underground storage tanks. A site may be listed on LUST by reporting the tank system(s) failed tank testing, that routine monitoring of tank system(s) showed evidence of leakage, or that verification sampling during tank removal showed subsurface contamination. The search radius for the LUST list is ½ mile.

Fuel leak case research conducted at the Lawrence Livermore National Laboratory (LLNL) indicates that attenuation and degradation play major roles in reducing hydrocarbon in groundwater to non-detectable levels within several hundred feet of the contaminant source. Research findings indicate that in over 90% of the petroleum hydrocarbon cases, groundwater contaminant plumes do not extend more than 250 feet from the source. The mobility of a gasoline additive called Methyl tertiary-Butyl

Ether (MtBE) is currently being researched. Preliminary findings indicate that MtBE is highly soluble in water and moves easily through soil particles and into groundwater where it may spread over a distance greater than 250 feet. MtBE will transfer to groundwater from gasoline leaking from USTs, pipelines, car emissions into the atmosphere, and other components of gasoline vapor distribution. MtBE has been an additive to gasoline since approximately 1985, but banned in California since 2004.

The subject property is not listed on the LUST database.

There are 52 listings for LUST sites within ½ mile of the subject property, including multiple listings for the same site addresses. Three LUST sites were listed on adjoining properties; two additional LUST sites (multiple listings) were located within 1/8 mile of the subject property.

Dohrman Building at 325 S. First Street, adjoining south and up-gradient, has a regulatory status of Completed-Case Closed as of 1995 for a release of heating oil from a vaulted UST in the building basement. The only "ground water" sampling data available was from infiltrated ground water collected within the vault, based on documentation included on the Geotracker database; soil demonstrated relatively low petroleum hydrocarbon concentrations. Based on the low mobility of fuel oil in the subsurface, as well as the period of time which has elapsed since closure, this site appears unlikely of significant concern to the subject property.

Fox California Theater at 345 S. First Street, adjoining south and up-gradient, has a regulatory status of Completed-Case Closed as of February 2002 for a release of heating oil which appeared to have impacted soil only. Based on the low mobility of fuel oil in the subsurface, this site appears unlikely of significant concern to the subject property.

San Jose Marriott/SJRA Hotel East at 301 S. Market Street, adjoining west and generally cross-gradient, had a regulatory status of Completed-Case Closed as of October 2001 for a release of petroleum hydrocarbons to ground water resulting from releases from USTs likely associated with the former on-site gas station. Contaminant concentrations were reported as non-detectable in the closure letter available on the Geotracker database. Based on cross-gradient location and the available analytical data, this site appears unlikely of significant concern to the subject property.

SJRA Convention Center at S. Market Street and Viola Avenue, approximately 0.10 mile potentially up-gradient, as a regulatory status of Completed-Case Closed as of September 1997 for a release of gasoline to soil. Information available on the Geotracker database indicated no impact to ground water. Based on the media impacted and the period of time elapsed since closure, this site appears unlikely of significant concern.

Valley Title Co. at 300 S. First Street, approximately 0.05 mile cross- to down-gradient, has a regulatory status of Completed-Case Closed as of June 2011, for a release of fuel oil to ground water. At the time of closure, documentation available on the Geotracker database indicated 550 ppb total petroleum hydrocarbons as diesel (TPHd) and 2,100 ppb total petroleum hydrocarbons as motor oil (TPHmo) remaining in ground water. Based on the cross- to down-gradient location, this site appears unlikely of significant concern to the subject property.

No other LUST listings were for sites within 1/8 mile of the subject property. Each LUST site within 1/4 mile had a regulatory status of Completed-Case Closed. Based on location and regulatory status, none of the other LUST sites appear likely to be of significant concern to the subject property.

14. California Water Resources Control Board: Registered Underground Storage Tank (RUST) and Aboveground Storage Tank (RAST) Lists

The California Water Resources Control Board Underground Storage Tank Program maintains a list of registered underground storage tanks (RUSTs) and registered aboveground storage tanks (RASTs) in the site area. The sites listed on the RAST and RUST lists have not necessarily released hazardous substances into the environment and may not necessarily pose an environmental threat to the surrounding properties. Since Federal and California UST regulations require periodic monitoring for UST leakage and the immediate reporting of evidence of UST leakage, only those sites listed on the leaking underground storage tank (LUST) list typically have the potential of environmental impact. The search radius for the RUST and RAST lists is the site and adjoining properties.

The subject property is not listed on the RUST and RAST lists.

No RAST sites were identified adjoining the subject property.

One RUST site, San Jose Marriott adjoining west at 301 S. Market Street, was identified. No significant information on the registered UST was available in the database listing. As the tank reportedly is permitted by the SCCEHD, and the site is cross-gradient, inclusion on the RUST database is unlikely of significant concern.

15. California Department of Toxic Substances Control: Hazardous Waste Information System (HAZNET) List

The data on the HAZNET list is extracted from the copies of hazardous waste manifests received each year by the DTSC. The annual volume of manifests is typically 700,000 - 1,000,000 annually, representing approximately 350,000 - 500,000 shipments. Data are from the manifests are submitted without correction, and therefore many contain some invalid values for data elements such as generator ID, TSD ID, waste category, and disposal method. The search radius for HAZNET is the site.

The subject property, as Mobedshahi Hotel Group LLC, is listed on the HAZNET database once for disposal of 0.25 ton of other organic solids in 2003. No source of the material was indicated. The second HAZNET database listing, for St. Claire LP, was for disposal of asbestos-containing waste in 1991, 1992 and 1994. The listings indicate regulatory compliance and are not indicative of an environmental concern.

16. EDR® Historical Manufactured Gas Plants

EDR maintains a proprietary list of coal gas plants (manufactured gas plants) derived from city directories, telephone directories and other historical sources.

The subject property is not listed as an historical manufactured gas plant.

There are two historical manufactured gas plants reported within 1 mile of the subject property. Both are located nearly 1/3 mile or more cross- to down-gradient. Based on the relative immobility of typical manufactured gas plant contaminants and the non-adjoining locations of the facilities, they are unlikely to be of significant concern.

17. EDR® Historical Auto Stations

EDR maintains a proprietary list of possible historical automotive repair shops and gasoline stations derived from city directories, telephone directories and other historical sources.

The subject property is not listed as an historical auto station.

There are 18 historical auto stations reported within 1/8 mile of the subject property, including two gas stations appearing located on adjoining properties.

The Civic Center Mobil station adjoining west at 301 W. Market Street also was included on the LUST database as discussed and discounted as likely of significant concern in Section I.13.

EM Rowland at 326 S. Market Street, based on the address appearing to have adjoined south and generally up-gradient of the subject property, was listed as a gas station in 1935. Based on the period of time elapsed and the limited period of reported operation, this listing is unlikely of significant concern.

Other up-gradient listings were for auto repair facilities or gasoline stations which operated during the 1930s to 1950s. Although petroleum hydrocarbon releases from the historical sites may have occurred, based on the decades which have passed, significant impact to vicinity ground water is unlikely to remain. These sites also are unlikely of significant concern.

18. EDR® Historical Cleaners

EDR maintains a proprietary list of possible historical dry cleaner businesses derived from city directories, telephone directories and other historical sources.

The subject property is not listed on the EDR historical cleaners database.

There are five historical cleaners reported within 1/8 mile of the subject property. All of the listings are cross- to down-gradient and none were in operation more recently than the 1960s. Based on location, these listings are unlikely of significant concern to the subject property.

Summary

EDR's agency database search identified no current or previous conditions at the subject property that appear likely to have significantly impacted the underlying soil, soil vapor or groundwater.

The agency database search did identify multiple sites in the immediate vicinity with documented ground water impact by petroleum hydrocarbons and, to a lesser extent, chlorinated solvents. Most significantly, Pierce Development at 561-599 S. Market Street, approximately 0.29 mile

up-gradient. Due to the number of release sites in the immediate vicinity, ground water quality in the subject property vicinity likely is diminished. However, the off-site sources have identified responsible parties and concentrations, if any, are not anticipated to be significant.

AllWest's review of federal, tribal, state and local government records did/did not encounter data gaps that diminish our ability to provide an opinion on a release or potential release of hazardous substances at the subject property.

VII. INFORMATION SOURCES

A. HISTORICAL SOURCES

Aerial Photographs

EDR® Aerial Photo Decade Package, October 18, 2021, Environmental Data Resources, Inc., Shelton, Connecticut.

Sanborn® Fire Insurance Maps

EDR® Certified Sanborn Map Report, October 19, 2021, Environmental Data Resources, Inc., Shelton, Connecticut.

City Directories

EDR® City Directory Image Report, October 19, 2021, Environmental Data Resources, Inc., Shelton, Connecticut.

Topographic Maps

EDR® Historical Topographic Map Report, October 18, 2021, Environmental Data Resources, Inc., Shelton, Connecticut.

B. ENVIRONMENTAL AGENCY DATABASES

The EDR® Radius Map™ Report, October 18, 2021, Environmental Data Resources, Inc., Shelton, Connecticut.

State Water Resources Control Board (SWRCB) GeoTracker database website:
<http://geotracker.waterboards.ca.gov/>

Department of Toxic Substances Control (DTSC) EnviroStor database website:
<http://www.envirostor.dtsc.ca.gov/public/>

California Environmental Protection Agency
(CalEPA) Regulated Site Portal database
website:
<https://siteportal.calepa.ca.gov/>

C. ENVIRONMENTAL SOURCES

Alquist-Priolo Special Studies Zones Act, Special
Publication No. 42, 1997, California Division of
Mines and Geology.

California Statewide Radon Survey, 1990,
California Department of Health Services.

California's Groundwater, Bulletin 118, 1975,
California Department of Water Resources.

Geology of Northern California, Bulletin No. 190,
California Division of Mines and Geology, 1966

California Geologic Energy Management Division
(CalGEM oil & gas well finder):
<https://maps.conservation.ca.gov/oilgas/>

US Fish and Wildlife Service National Wetlands
Inventory database.
<http://www.fws.gov/wetlands/Data/Mapper.html>

D. PLANNING, BUILDING AND ASSESSOR

San Jose Planning and Zoning Departments, 200
East Santa Clara Street, San Jose, CA 95113.
Contact: 408-535-3500.

San Jose Building Department, 200 East Santa
Clara Street, San Jose, CA 95113. Contact: 408-
535-7770. <http://www.sjpermits.org/permits/>

Santa Clara County Assessor's Office, 70 West
Hedding Street, San Jose, CA 95110. Contact:
408-299-5500.
<https://www.sccassessor.org/index.php/online-services/property-search/real-property>

E. FIRE AND ENVIRONMENTAL HEALTH/CUPA

Santa Clara County Environmental Health
Department, 1555 Berger Drive, Suite 300, San
Jose, CA 95112, Contact: 408-918-3400.
San Jose Fire Department, 200 East Santa Clara
Street, San Jose, CA 95113. Contact: 408-535-
7750. <http://www.sjpermits.org/permits/>

State Water Resources Control Board (SWRCB)
GeoTracker database website:
<http://geotracker.waterboards.ca.gov/>

Department of Toxic Substances Control (DTSC)
EnviroStor database website:
<http://www.envirostor.dtsc.ca.gov/public/>

F. WATER QUALITY

San Jose Water Company, 110 W. Taylor St.,
San Jose, CA 95110. Contact: 408-279-7900.

Valley Water Well Information website:
<https://gis.valleywater.org/wellinfo/>

G. AIR QUALITY

Bay Area Air Quality Management District, 375
Beale Street, San Francisco, CA 94105
Contact: 415-749-4900

H. OTHER DOCUMENTS

BKF. *ALTA/NSPS Land Title Survey, The Westin
San Jose, 302 South Market Street, San Jose,
California.* October 7, 2019.

Forensic Analytical Laboratories. *Bulk Asbestos
Analysis.* May 3, 2017.

AEI. *Limited Asbestos Survey, Westin San Jose,
302 South Market Street, San Jose, Santa Clara
County, California 95113.* April 28, 2017.

AEI. *Phase I Environmental Site Assessment,
Westin San Jose, 302 South Market Street, San
Jose, Santa Clara County, California 95113.*
April 7, 2017.

Eckland. *Phase I Environmental Site
Assessment Report, Sainte Claire Hotel, 302
South Market Street, San Jose, California 95113.*
May 26, 2011.

City of San Jose. *Final Environmental Impact
Report on the Downtown Strategy Plan in San
Jose, California.* November 1992.

Dames & Moore. *Draft Report, Pre-Abatement
Asbestos Survey, Sainte Claire Hotel, 302 S.
Market Street, San Jose, California.* January 16,
1991.

Description of Selected General Terms and Acronyms

Term/Acronym	Description
ACM	Asbestos Containing Material. Asbestos is a naturally occurring mineral, three varieties of which (chrysotile, amosite, crocidolite) have been commonly used as fireproofing or binding agents in construction materials. Exposure to asbestos, as well as ACM, has been documented to cause lung diseases including asbestosis (scarring of the lung), lung cancer and mesothelioma (a cancer of the lung lining). Regulatory agencies have generally defined ACM as a material containing greater than one (1) percent asbestos, however some states (e.g. CA) define ACM as materials having 0.1% asbestos.
AHERA	Asbestos Hazard Emergency Response Act
AOC	Area of Concern
APN	Assessor's Parcel Number
AST	Aboveground Storage Tanks. ASTs are generally described as storage tanks less than 10% of which are below ground (i.e., buried). Tanks located in a basement, but not buried, are also considered ASTs. Whether, and the extent to which, an AST is regulated, is determined on a case-by-case basis and depends upon tank size, its contents and the jurisdiction of its location.
ASTM	American Society for Testing and Materials
AULs	Liens or Activity and Use Limitations
BAAQMD	Bay Area Air Quality Management District
bgs	Below Ground Surface
BTEX	Benzene, Toluene, Ethylbenzene, and Xylenes. BTEX are VOC components found in gasoline and commonly used as analytical indicators of a petroleum hydrocarbon release.
BTU/hr	British Thermal Units per hour
Cal/EPA	California Environmental Protection Agency, also known as DTSC
CD	Critical Distance
CFR	Code of Federal Regulations
COC	Contaminant of Concern
CREC	Controlled Recognized Environmental Condition is defined in ASTM E1527-13 as "a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).
Data Gap / Significant Data Gap	A lack of or inability to obtain information required by the practice despite good faith efforts by the environmental professional to gather such information. A data gap is significant if other information and/or professional experience raises concerns involving the data gap.
De minimis Condition	A condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.
DOGGR	California Department of Conservation, Department of Oil, Gas and Geothermal Resources
DTSC	California Department of Toxic Substances Control
EDR	Environmental Data Resources
EMI	Emissions Inventory Data
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
ESL	Environmental Screening Level
FEMA	Federal Emergency Management Agency
HAZNET	DTSC Hazardous Waste Information System
Hazardous Substance	As defined under CERCLA, this is (A) any substance designated pursuant to section 1321(b)(2)(A) of Title 33, (B) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of this title; (C) any hazardous waste having characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (with some exclusions); (D) any toxic pollutant listed under section 1317(a) of Title 33; (E) any hazardous air pollutant listed under section 112 of the Clean Air Act; and (F) any imminently hazardous chemical substance or mixture with respect to which the EPA Administrator has taken action under section 2606 of Title 15. This term does not include petroleum, including crude oil or any fraction thereof

	which is not otherwise listed as a hazardous substance under subparagraphs (A) through (F) above, and the term include natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
Hazardous Waste	This is defined as having characteristics identified or listed under section 3001 of the Solid Waste Disposal Act (with some exceptions). RCRA, as amended by the Solid Waste Disposal Act of 1980, defines this term as a "solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may (A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed."
HMBP	Hazardous Materials Business Plan
HMMP	Hazardous Materials Management Plan
HREC	Historical Recognized Environmental Condition is defined in ASTM E1527-13 as "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 residential use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).
HVAC	Heating, Ventilation and Air Conditioning
LNAPL	Light Non-Aqueous Phase Liquid
LOP	Local Oversight Program
LQG	Large Quantity Generators
LUST	Leaking Underground Storage Tank. This is a federal term set forth under RCRA for leaking USTs. Some states also utilize this term.
mg/kg	milligrams per kilogram
mg/L	milligrams per liter
MCL	Maximum Contaminant Level. This Safe Drinking Water concept (and also used by many states as a ground water cleanup criteria) refers to the limit on drinking water contamination that determines whether a supplier can deliver water from a specific source without treatment.
MSDS	Material Safety Data Sheets. Written/printed forms prepared by chemical manufacturers, importers and employers which identify the physical and chemical traits of hazardous chemicals under OSHA's Hazard Communication Standard.
MSL	Mean Sea Level
MtBE	Methyl tertiary Butyl Ether
ND	Not Detected
NE	Not Established
NESHAP	National Emissions Standard for Hazardous Air Pollutants (Federal Clean Air Act). This part of the Clean Air Act regulates emissions of hazardous air pollutants.
NFA	No Further Action
NPDES	National Pollutant Discharge Elimination System (Clean Water Act). The federal permit system for discharges of polluted water.
NV	No Value
O&M Plan	Operations and Maintenance Plan
OSHA	Occupational Safety and Health Administration or Occupational Safety and Health Act
PACM	Presumed Asbestos-Containing Material. A material that is suspected of containing or presumed to contain asbestos but which has not been analyzed to confirm the presence or absence of asbestos.
PCBs	Polychlorinated Biphenyls. A halogenated organic compound commonly in the form of a viscous liquid or resin, a flowing yellow oil, or a waxy solid. This compound was historically used as dielectric fluid in electrical equipment (such as electrical transformers and capacitors, electrical ballasts, hydraulic and heat transfer fluids), and for numerous heat and fire sensitive applications.
pCi/L	picoCuries per Liter of air. Unit of measurement for radon and similar radioactive materials.
PE	Professional Engineer
PG&E	Pacific Gas and Electric Company
PLM	Polarized Light Microscopy (see ACM section of the report, if included in the scope of services)
ppb	parts per billion
ppm	parts per million

pVIC	Potential Vapor Intrusion Condition
Radon	A radioactive gas resulting from radioactive decay of naturally-occurring radioactive materials in rocks and soils containing uranium, granite, shale, phosphate, and pitchblende. Exposure to elevated levels of radon creates a risk of lung cancer; this risk generally increases as the level of radon and the duration of exposure increases. Radon can accumulate in building basements or similar enclosed spaces to levels that can pose a risk to human health. Indoor radon concentrations depend primarily upon the building's construction, design and the concentration of radon in the underlying soil and ground water.
REC	Recognized Environmental Conditions are defined by ASTM E1527-13 as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment; 2) under conditions indicative of a release to the environment. <i>De minimis</i> conditions are not recognized environmental conditions."
RWQCB	California Regional Water Quality Control Board
SLIC	Spills, Leaks, Investigations And Cleanup
SPCC	Spill Prevention, Control and Countermeasures. SPCC plans are required under federal law (Clean Water Act and Oil Pollution Act) for any facility storing petroleum in tanks and/or containers of 55-gallons or more that when taken in aggregate exceed 1,320 gallons. SPCC plans are also required for facilities with underground petroleum storage tanks with capacities of over 42,000 gallons. Many states have similar spill prevention programs, which may have additional requirements.
SQG	Small Quantity Generator
SWRCB	State Water Resources Control Board
TPH (d)(g)(mo)	Total Petroleum Hydrocarbons (d) as diesel (g) as gasoline (mo) as motor oil
ug/kg	micrograms per kilogram
ug/L	micrograms per liter
USGS	United States Geological Survey
UST	Underground Storage Tank. Most federal and state regulations, as well as ASTM E1527-13, define this as any tank, incl. underground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 10% or more beneath the surface of the ground (i.e., buried).
VEC	Vapor Encroachment Condition
VOCs	Volatile Organic Compounds
Wetlands	Areas that are typically saturated with surface or ground water that creates an environment supportive of wetland vegetation (i.e., swamps, marshes, bogs).

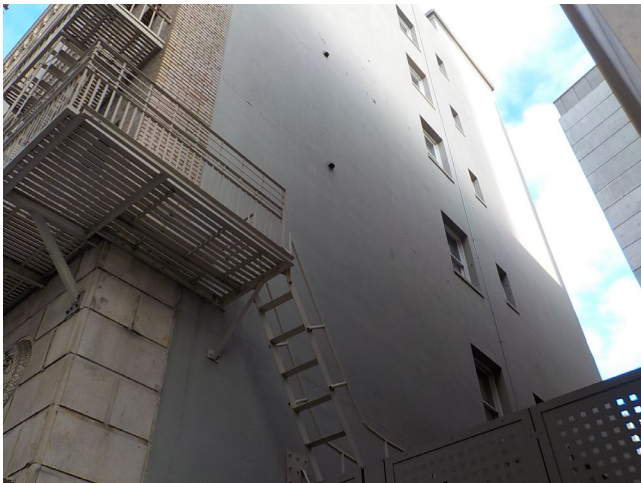
PHOTOGRAPHS



1. Northwestern and Western Façades of Building



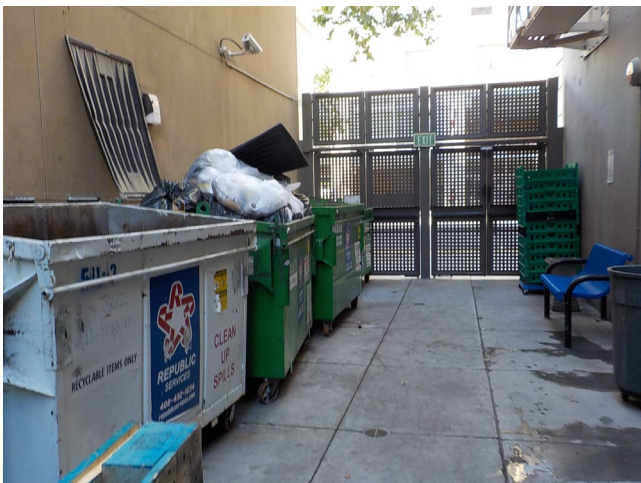
2. Northern Façade of Building



3. Southern Façade of Building



4. Southern and Eastern "Interior" Façades of Building



5. Western Loading Dock Area Adjoining Southern Side of Building



6. Eastern Loading Dock with Grease Interceptor in Dock and Box Crusher Adjoining Dock



7. Waste Cooking Oil Drums in Eastern Loading Dock Area



8. Building Roof (6-Story Portion of Building)



9. Wall Area on Roof Labeled as Asbestos



10. Cooling Tower Water Treatment Chemical Container in Rooftop Elevator Room Penthouse



11. Traction Elevator Motor in Rooftop Elevator Room Penthouse



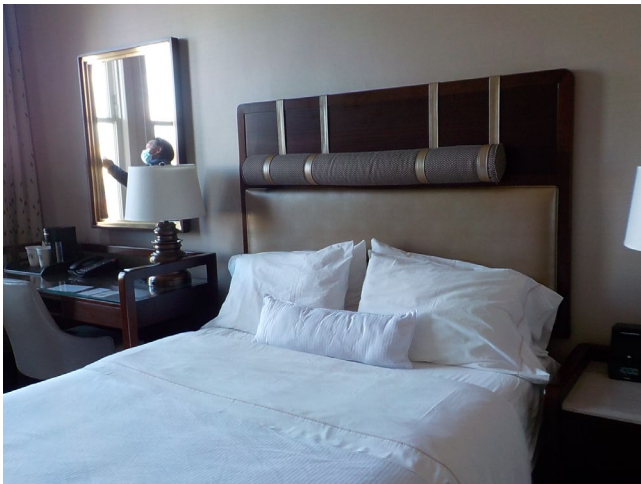
12. Building Roof (Single-Story Portion of Building)



13. Lobby



14. Atrium



15. Typical Hotel Room



16. Typical Hallway



17. Paint Storage in Basement Paint Room



18. Flammables Cabinet in Basement Paint Room



19. Basement Shop



20. Sewer Sump in Basement



21. Basement Hotel Laundry Room



22. Laundry Detergents/Additives in Basement Hotel Laundry Room



23. Hydraulic Kitchen Elevator Pit with Evidence of Previous Hydraulic Fluid Accumulation



24. Il Fornaio Dining Room



25. Il Fornaio Kitchen



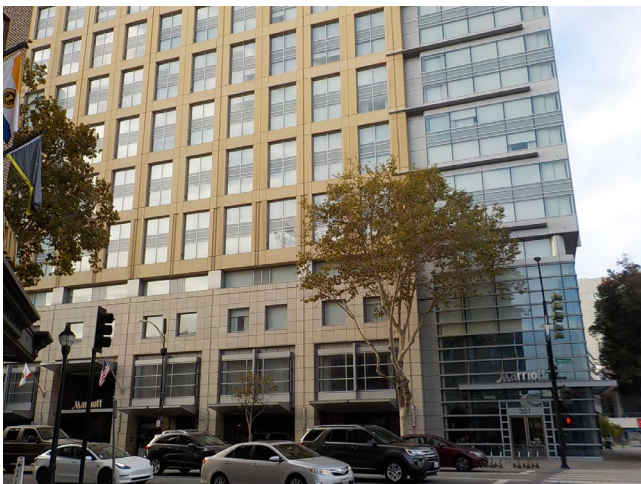
26. Parking Lot Adjoining North



27. Plaza de Cesar Chavez Adjoining Northwest



28. California Theater Adjoining South



29. San Jose Marriott Adjoining West



30. Commercial Building Adjoining South (to left) and Commercial/Residential Building Adjoining East (to right)