

May 16, 2007

Patricia M. Mahan, Mayor  
City of Santa Clara  
1500 Civic Center Drive  
Santa Clara, CA 95050

Re: Santa Clara Gardens Development Project , File CEQ2006-01032/  
CEQ2006-01032/CEQ2007-01039/SCH# 2003072093

Dear Mayor Mahan:

The League of Women Voters supports effective measures to protect the public health and the environment from the adverse effects of hazardous materials. The Santa Clara Gardens Development Project at 90 North Winchester Boulevard does not take adequate steps to address the hazardous materials risk on this property, in view of the contamination arising from the prior use of the property. We urge you to require a more comprehensive standard for remediation of the soils on this property prior to development.

As part of the request for certification of the Final Environmental Impact Report for this project, the property owner, the California State Department of General Services, plans remediation of all onsite soils to levels to meet current Department of Toxic Substance Control standards for the proposed residential use. Since BAREC was a research site for agricultural chemicals, many would not have a Health Risk Assessment associated with them so that they were not tested. Furthermore, the testing was only to a depth of six inches rather than down to the depth of housing foundations. The State plans excavation and removal of onsite contaminated soils and importation of clean fill.

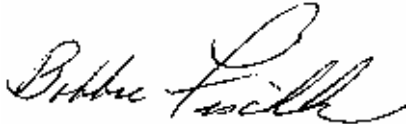
We recommend that, if feasible, bioremediation methods be used instead of excavation and removal of soil that is identified as contaminated. These methods can be quicker and cheaper, but above all they allow natural processes to clean up harmful chemicals, using microbes that live in the soil and groundwater. These methods can be used to treat soils that are contaminated, even when the contaminant does not have a specific test for detection by the DTSC, since the bioremediation process allows the soil to return to an overall healthy state.

We recognize that using this natural process will take more time, as the microbes take time to work. Nevertheless, given the benefits to area residents, we urge you to explore the possibility of using this solution. Some sites can be cleaned in

as little as a few months, which would not appreciably extend the time frame for project completion.

If feasible, this seems like a win-win situation. The State would spend no more, and possibly less. Santa Clara and its residents would benefit from cleaner, healthier soil and better environmental quality. We urge you to make bioremediation processes a requirement for this project to proceed, if at all possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bobbie Fischler".

Bobbie Fischler  
President

Cc: Jennifer Sparacino, City Manager  
Kevin L. Riley, Director of Planning and Inspection  
Tony Marine, Chairperson, Planning Commission