

From: [, Planning Division](#)
To: [Hughes, Sam](#)
Subject: FW: 515-545 N. Whisman Project Design Review
Date: Wednesday, November 5, 2025 1:28:21 PM

From: Miriam L Caballero [REDACTED]
Sent: Wednesday, November 5, 2025 12:47 PM
To: , Planning Division <planning.division@mountainview.gov>
Subject: 515-545 N. Whisman Project Design Review

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Hello,

I would like to express my concerns of the increase of traffic this new development will cause. Our streets do not have alleyways, like the design in the photo of the new development. Alleys are a crime wave waiting to happen. They are gathering places for people underage to meet and loiter.

We have so many new developments already completed, that it amazes more are required. Have all the developements been fully furnished?

I've been living in my neighborhood for 30 years and I do not believe we need more housing in a crowded community!

Have you checked possible land for this project crossing El Camino and their neighborhoods?

Cheers,

Miriam L Caballero

p/s Please rethink before signing. Have a voted and see how many mountain viewers really would like more neighbors in an already crowded neighborhood.

From: [REDACTED]
To: Hughes, Sam; epc@mountainview.gov
Subject: Public Comment: Opposition to Project PL-11346 (515-545 N. Whisman Road)
Date: Sunday, January 25, 2026 2:49:19 PM

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Mr. Hughes and Members of the Environmental Planning Commission,

I am writing as a local resident to formally express my strong opposition to the proposed development at 515-545 N. Whisman Road (Application No. PL-11346).

While I understand the need for housing, I have several grave concerns regarding this specific proposal that I believe have not been adequately addressed:

* **Significant Loss of Heritage Trees:** The request to remove 137 heritage trees is unacceptable. These trees are vital to our local ecosystem, providing canopy cover, reducing the "urban heat island" effect, and maintaining the character of the Whisman neighborhood. Replacing mature, decades-old trees with new construction represents a permanent environmental loss that cannot be easily mitigated.

* **Traffic and Infrastructure Strain:** Adding 195 three-story rowhouses will significantly increase traffic volume on North Whisman Road, which is already a major artery. I am concerned that the local infrastructure and the intersection at Evandale Ave and Murlagan Ave cannot safely handle this influx of daily vehicle trips.

* **CEQA Exemption Concerns:** I disagree with the recommendation that this project should be statutorily exempt from the California Environmental Quality Act (CEQA). Given the massive scale of tree removal and the density of the project, a full Environmental Impact Report (EIR) should be required to properly evaluate the long-term effects on the neighborhood.

* **Neighborhood Character:** The transition from office space to high-density residential on this 10-acre site feels out of scale with the surrounding area.

I urge the Environmental Planning Commission to deny the current permits and require the applicant, Stonelex LLC, to significantly revise the plan to preserve the existing heritage trees and reduce the overall density of the project.

Please include these comments in the official public record for the hearing on February 4, 2026.

Sincerely,

Yunjiong Zhao

From: [Planning Division](#)
To: [Pancholi, Diana](#)
Subject: FW: Heritage trees at 515-545 N. Whisman
Date: Monday, February 2, 2026 8:09:15 AM

Nancy Woo-Garcia
Office Assistant /CDD-Planning
Main 650-903-6306

From: John Yates [REDACTED]
Sent: Saturday, January 31, 2026 4:20 PM
To: epc@mountainview.gov
Subject: Heritage trees at 515-545 N. Whisman

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Hello,

I commute by bike along the sidewalk behind 515-545 Whisman and have noticed the Heritage Tree removal tape on many of the trees along the path. I see that property on your agenda for Wednesday. I hope either the existing trees might be spared (including those that don't appear to meet "heritage" status) or, at least, replaced by similar ones.

And isn't that an EPA superfund site that has not completed remediation?

<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.schedule&id=0901680#:~:text=Achieved%20Sitewide%20Ready%20for%20Anticipated%20Reuse>

John Yates
[REDACTED]

From: [Planning Division](#)
To: [Pancholi, Diana](#)
Subject: FW: Public Comment on Item 5.1
Date: Monday, February 2, 2026 11:11:48 AM

Nancy Woo-Garcia
Office Assistant /CDD-Planning
Main 650-903-6306

From: Albert Jeans [REDACTED]
Sent: Monday, February 2, 2026 11:05 AM
To: epc@mountainview.gov
Subject: Public Comment on Item 5.1

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear EPC Commissioners,

I am writing to you about the proposed rowhouse development at 515-545 North Whisman Rd. I do not understand why Staff is not holding the developer to the full park land dedication or in-lieu fee permitted by the Quimby Act, but instead cites some arcane formula based on the development's share of the population in the Whisman Planning Area. Chapter 41 of the City's Municipal Code is clear as to how the land and fees are to be calculated. The proposed development has 200 housing units on 10 acres of land. That makes it a medium density development, and the park land required is 0.006 acres per housing unit or 1.20 acres (Section 41.6). Because land is such a scarce commodity in Mountain View, I strongly urge the city to require a land dedication instead of an in-lieu fee. However, if a fee is to be charged, it should be based on a current appraisal of the property value. Nevertheless, using the \$9.5 million per acre cited in the Staff Report, the in-lieu fee comes to \$11.4 million, not \$4.25 million. If the city does not receive the full land dedication or in-lieu fee it is entitled to from this development, it only makes the existing deficit in park space worse, costing the city many more millions of dollars in the future.

Sincerely,
Albert Jeans
[REDACTED]

February 3, 2026

Re: February 4, 2026, Agenda Item 5.1 (515-545 North Whisman Road)

Dear Chair Nunez and Members of the Environmental Planning Commission:

The League of Women Voters (LWV) supports actions that increase the stock of housing and particularly affordable housing.

The League encourages the City and the Applicant to include as many units as possible that adhere more closely to the Below Market Rate (BMR) Guidelines and minimize downpayments, so that the units are available to a broader range of potential homeowners. The League also suggests that the BMR units be distributed throughout the project so as to avoid internal segregation.

Please send any questions about this letter to Kevin Ma, Co-Chair of the Housing Committee, at housing@lwvlamv.org.

Sincerely,



Katie Zoglin
President

Los Altos-Mountain View Area LWV

C: Eric Anderson
Amber Blizinski
Sam Hughes
Christian Murdock

From: [Planning Division](#)
To: [Pancholi, Diana](#); [Hughes, Sam](#); [Blizinski, Amber](#); [Schroeder, George](#)
Cc: [Murdock, Christian](#)
Subject: FW: Comments for February 4, 2026 Public Hearing | Agenda Item 5.1 Rowhouse Project at 515-545 North Whisman Road
Date: Wednesday, February 4, 2026 4:06:11 PM
Attachments: [2026.02.04 T. Boer Letter to City of Mountain View re 515-545 N Whisman Redevelopment.pdf](#)

From: Molodanof, Olivia <[REDACTED]>
Sent: Wednesday, February 4, 2026 3:25 PM
To: epc@mountainview.gov
Cc: , Planning Division <planning.division@mountainview.gov>; Boer, Tom
[REDACTED]
Subject: Comments for February 4, 2026 Public Hearing | Agenda Item 5.1 Rowhouse Project at 515-545 North Whisman Road

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Commissioners,

Attached please find a letter submitted on behalf of Schlumberger Technology Corporation (as the indemnitor of Fairchild Semiconductor Corporation) providing comments on **Agenda Item 5.1 “Rowhouse Project at 515-545 North Whisman Road”** for consideration at the February 4, 2026 public hearing of the City of Mountain View Environmental Planning Commission. We ask that this comment letter be considered by the Commissioners and publicly posted with the Agenda materials in advance of today’s hearing.

Sincerely,
Olivia

Olivia Molodanof
Senior Associate (she/her)

Hogan Lovells US LLP
4 Embarcadero Center





Hogan Lovells US LLP
4 Embarcadero Center
Suite 3500
San Francisco, CA 94111
T +1 415 374 2300
F +1 415 374 2499
www.hoganlovells.com

February 4, 2026

VIA E-MAIL

Environmental Planning Commissioners
City of Mountain View
Council Chambers, 2nd Floor
500 Castro Street
Mountain View, CA 94041
epc@mountainview.gov

**Re: Comments for February 4, 2026 Public Hearing | Environmental Planning
Commission | Agenda Item 5.1 Rowhouse Project at 515-545 North Whisman
Road**

Dear Commissioners:

I am writing on behalf of Schlumberger Technology Corporation (as the indemnitor of Fairchild Semiconductor Corporation) to comment on Agenda Item 5.1 “Rowhouse Project at 515-545 North Whisman Road” for consideration at the February 4, 2026 public hearing of the City of Mountain View Environmental Planning Commission (“Commission”). This comment letter provides context about the subject property at 515-545 North Whisman Road (the “Property”) that is not readily evident in the Agenda materials before the Commission, raises several questions about information that appears to be missing from the record provided to the public in advance of the hearing, and identifies a concern about a potential error in the Department of Toxic Substances Control’s (“DTSC”) “Cortese List” relevant to the Property that may have been overlooked. I ask that this comment letter be included with the Agenda materials for this hearing.

First, there is extremely limited information describing the history of the Property posted in the attachments in support of Agenda Item 5.1. Yet, that information appears to be highly relevant to the issues that the Commission is being asked to examine. As noted in the *Peer Review of AB 130 CEQA Exemption Site Analysis Memorandum*, prepared by JHS Consulting (Attachment 4), the Property lies within the Middlefield-Ellis-Whisman (“MEW”) Superfund Study Area and is specifically part of the Fairchild Semiconductor Corporation National Priority List (“NPL”) Superfund Site. The Property is identified as a former location where Fairchild operated a semiconductor manufacturing plant. As you are surely aware, the NPL is “the list, compiled by EPA pursuant to CERCLA section 105, of uncontrolled hazardous substance releases in the United States that are priorities for long-term remedial evaluation and response.” 40 C.F.R. § 300.5. Little context, however, is provided in the Agenda’s materials about what all of these classifications and characterizations actually mean.

More context about the history of the Property is readily available in the Administrative Order for Remedial Design and Remedial Action (Docket No. 91-4) (the "Administrative Order"), issued by the U.S. Environmental Protection Agency ("EPA") in 1990. The Administrative Order describes the government's perspective about former operations on the Property as follows:

From the early 1960's to 1989, Respondent Fairchild was the builder and operator of the contiguous facilities located at 515 North Whisman Road, 545 North Whisman Road, and 313 Fairchild Drive. These facilities were part of . . . Fairchild's Linear Division and housed its chemical mixing and silicon wafer manufacturing operations. . . . These facilities either include or formerly included the following: Fairchild buildings 1, 2, 3, and 4, a spill containment sump, slurry collection sumps, a slurry sample box, a solvent separation sump, an acid collection sump, hydrofluoric acid storage tanks, a pH neutralization system, pH neutralization sumps, a waste water neutralization sump, and an industrial waste water treatment system, as well as other units. Freon, PCE, TCA, and TCE were among the numerous hazardous substances known to have been present at these facilities. Samples of the soil taken in the vicinity of these facilities indicate concentrations of TCE as high as 1,700 ppb. Samples of the groundwater taken in the vicinity of these facilities indicate concentrations of TCE as high as 5,000 ppb. The contamination of these facilities has resulted from one or more of the following: leaking underground tanks, pipelines, or sumps, and/or from surface spills.

Administrative Order at Section II.A.1(c).

To be clear: the Property is not part of a closed Superfund site; rather, it remains under active remediation as part of the approximately 56-acre Fairchild Semiconductor Superfund Site (and the larger MEW Superfund Study Area). Schlumberger, honoring an indemnity for certain environmental liabilities it owes to the successor to Fairchild Semiconductor, is cooperating with EPA to conduct active remediation at the Property and throughout the larger MEW Superfund Study Area. That remedial work will likely continue for decades into the future. The scope of remediation is being undertaken consistent with a 1989 Record of Decision ("1989 ROD") and a 2010 Record of Decision Amendment for the Vapor Intrusion Pathway ("2010 ROD Amendment"), among other technical documents, issued by EPA. The 1989 ROD, for example, describes the nature of contamination that the remediation is targeting:

Investigations at the site have revealed the presence of over 70 compounds in groundwater, surface water, sediments, and subsurface soils. The vast majority and quantity of these compounds are found in groundwater and subsurface soils. Three major classes of chemicals were investigated during the [remedial investigation]: (1) volatile organic compounds, (2) semi-volatile acid and base/neutral extractable organic compounds, and (3) priority pollutant metals. Of these three classes, volatile organics are the most prevalent.

1989 ROD at 5. Although some of the objectives of the 1989 ROD have been met (e.g., for soils), other objectives (e.g., groundwater) remain subject to the continuing remedial effort. Absent further action by EPA to change the remedy, the remedial efforts required by the ROD will continue at, and in the vicinity of the Property, after any further redevelopment. This includes, for example, a groundwater

pump and treat system entailing three extraction wells located on the Property, a slurry wall enclosure surrounding the Property that extends between twenty-five to forty feet below the ground surface to contain chlorinated solvents in localized groundwater,¹ conveyance pipelines that move contaminated groundwater from extraction wells on the Property to the groundwater treatment system, and the regional “South of 101” treatment system – designed to remove chlorinated solvents from groundwater – located adjacent to the Property.

Schlumberger, as the indemnitor of Fairchild Semiconductor, has worked cooperatively with the EPA, property owners, and developers over many years to support light industrial and commercial office redevelopment activity at and in the vicinity of the MEW Superfund Study Area. In fact, Schlumberger supported the redevelopment of this specific Property in the early 2000s. That effort involved razing the historic manufacturing facility and culminated in the construction of two commercial buildings totaling approximately 150,000 square feet. In the context of preparation of the City’s East Whisman Precise Plan, Schlumberger (along with others) raised concerns with City staff about potential residential redevelopment of source properties under active remediation within the footprint of the MEW Superfund Study Area. For example, Schlumberger urged that if residential redevelopment were to be authorized, it should at least incorporate podium construction to sever potential exposure pathways. Those concerns do not appear to have been addressed at the time, and they remain relevant today.

Schlumberger was not aware until several days ago, following the public posting of the Agenda materials on Friday, January 30, 2026, that the Commission would consider recommending that the Mountain View City Council find that the project is statutorily exempt from CEQA review pursuant to AB 130. Unfortunately, despite Schlumberger’s continuing role conducting remediation at the Property and preliminary discussions with representatives for the Property’s owner beginning in mid-2025, Schlumberger was not provided an earlier opportunity to engage with City staff or review any of the materials posted in support of Agenda Item 5.1. Having now had the opportunity to review that information at this late date, Schlumberger wishes to bring several items to the Commission’s attention:

- *Phase I Environmental Site Assessment.* A Phase I Environmental Site Assessment (“ESA”) is referenced in several materials for Agenda Item 5.1 (e.g., Attachments 3 and 4). This document is relevant to the Commission’s requested action because it is a requirement for eligibility pursuant to the claimed CEQA exemption under AB 130. The ESA, however, is not included as an attachment to the Agenda and it is unclear whether the Commission, or even City staff, have reviewed the document. Absent review and public availability, there are limited details regarding this former source Property, the extent of its historic manufacturing operations and how they may have been characterized, or the extent of the current remediation being conducted. It is also unclear what recognized environmental conditions were identified

¹ The 1989 ROD describes the slurry wall surrounding this Property and others within the MEW Superfund Study Area, in part, as follows: “Although the aquifers bounded by the slurry walls are considered potential drinking water sources, this groundwater is effectively isolated when local hydraulic control is implemented by pumping inside the confines of the slurry walls. This isolation of contaminated groundwater and soil bounded by the slurry walls provides an additional level of protection of the significantly larger drinking water source outside of the slurry walls.” 1989 ROD at 22.

in the ESA and whether those are consistent with the voluminous record for the Fairchild Superfund Site/MEW Superfund Study Area.

- *Attachment A “Matrix.”* In footnote 1 of the September 23, 2025 memorandum regarding *Applicability of AB 130 CEQA Exemption to the 515 Whisman Townhouse Project* (identified as Attachment 3 to Agenda Item 5.1), reference is made to a “matrix summarizing the results of a comprehensive records search across every sub-list identified in California Government Code § 65962.5 (commonly referred to as the ‘Cortese List’), showing that none of the nine statutory categories applies to the 10-acre site, and thereby demonstrating that the Property is not included on, or subject to, any portion of the Cortese List.” It is not possible to evaluate the accuracy of the Matrix because Attachment A is not included in the information posted in support of Agenda Item 5.1. A preliminary review, however, indicates that the absence of the Property from the Cortese List is likely an error or, at the very least, requires further explanation from DTSC. As noted above, the Property sits within the geographic boundary of the Fairchild Semiconductor NPL Superfund Site subject to active remediation pursuant to EPA oversight.² DTSC’s respective portion of the Cortese List generally includes active federal Superfund sites located in California (unless they are federal properties, like military bases).³ However, for whatever reason, DTSC’s Cortese List omits all active federal Superfund sites located in Santa Clara County that have a status (in Envirostor) with a “REFER” designation pointing to EPA or the Regional Water Quality Control Board as the responsible regulatory agency.⁴ As a result, a number of active Superfund sites in the County are not included on DTSC’s Cortese List, although it appears to arbitrarily include two sites that do not have the “REFER” designation: the Lorentz Barrel & Drum Company Site and the South Bay Asbestos Area Site (both of which are located in Santa Clara County and listed on DTSC’s Cortese List). Based upon this comparison, a reasonable inference is that DTSC’s algorithm for compiling its portion of the Cortese List may have inadvertently omitted certain active Superfund sites where DTSC is not exercising active oversight. It does not appear reasonable (at least without further explanation from DTSC staff), that a relatively small leaking underground storage tank site might be included on its Cortese List but that multi-acre National Priority List Superfund sites would be omitted.
- *Preliminary Endangerment Assessment.* In light of the request for an AB 130 CEQA exemption, Schlumberger expected to see a Preliminary Endangerment Assessment to support Agenda Item 5.1. Such an assessment is required where recognized environmental

² See, e.g., EPA, Fairchild Semiconductor Corp. (Mountain View Plant) Superfund Site, available at <https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=0901680>. The Property is also in the immediate vicinity of the Raytheon Corp. Superfund Site (another former semiconductor manufacturing facility, available at <https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=0901202>) and the Intel Corp. (Mountain View Plant) Superfund Site (yet another former semiconductor manufacturing facility, available at <https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=0901482>).

³ See DTSC, Hazardous Waste and Substances Site List (meeting the Cortese List requirements), available at https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CS|TES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST, sorted by “Program Type: Federal Superfund – Listed”

⁴ This is evident by comparing DTSC’s Cortese List (included in Footnote 3) to a search of DTSC’s Envirostor, available at <https://www.envirostor.dtsc.ca.gov/public/search?basic=True>, for “Federal Superfund Sites (NPL)” located in Santa Clara County.

conditions, like those on the Property, are identified. The assessment is intended to determine the potential exposure for future occupants, or how any significant effect of the release of hazardous substances on a property and potential for exposure to significant hazards “shall be mitigated to a level of insignificance,” consistent with Government Code § 65913.16(c)(13)(B). However, the supporting materials for Agenda Item 5.1 do not appear to include such an assessment (nor is it clear that a compliant assessment has been performed). Likewise, there is no information posted for public review regarding what specific remedial requirements or mitigation will be necessary to receive a certificate of occupancy from the various regulatory agencies and ensure no contamination will impact the project, consistent with Public Resources Code § 21080.66(c)(1). This is a particularly relevant issue given the fact that chlorinated solvent contamination in groundwater on the Property remains elevated despite substantial remedial efforts since the 1980s.

Without careful consideration of the documents and issues identified above, it would be premature to conclude that the project is exempt from CEQA requirements under AB 130 or otherwise.

Given the circumstances associated with this proposed redevelopment project, this Commission and the public would also be particularly well served by EPA’s Ready for Reuse (RfR) determination process. EPA has described the discretionary RfR process as follows:

Through an RfR determination, EPA makes an affirmative statement, accompanied by supporting decision documentation, that a site identified as “ready for reuse” will remain protective of human health and the environment as long as all required response conditions and use limitations identified in the site’s response decision documents and land title documents continue to be met.

EPA, *Memo Regarding Guidance for Preparing Superfund Ready for Reuse Determinations* (OSWER 9365.0-33), at 1 (Feb. 12, 2004).⁵ The relevance of the RfR process is described by EPA as follows:

It is in the public’s interest to make the best possible information available to the real estate marketplace for these sites for two key reasons. First, it is EPA’s mission to protect human health and the environment, which includes protecting future users of sites. By restating decision document requirements in an easily understood fashion for operation and maintenance (O&M) of a response and institutional controls (ICs), RfR determinations can be used to communicate any land use limitations or land use restrictions on the site, helping to ensure that the response remains protective. Second, RfR determinations give the public notice of the status of EPA’s cleanups.

EPA, *Guidance for Preparing Superfund Ready for Reuse Determinations* (OSWER 9365.0-33) at 2.⁶ EPA’s guidance notes that an “RfR determination should not be issued at a Superfund site until the specified property meets CERCLA standards of protectiveness” and can be issued “either for sites with unrestricted use and exposure or for restricted use sites.” *Id.* at 4. Either way, the “purpose of the RfR determination is to provide a technical declaration that also clearly identifies the scenarios under which the property is and remains ready for use.” *Id.*

⁵ Available at <https://semspub.epa.gov/work/HQ/175571.pdf>.

⁶ Available at <https://semspub.epa.gov/work/HQ/175569.pdf>.

After becoming aware of the potential for residential redevelopment, Schlumberger requested that EPA Region 9 consider an RfR determination for the Property in November 2025. We understand that EPA continues to consider that request. Any information in an RfR determination by EPA would be highly relevant to the Commission's evaluation of this proposed project.

Based upon all of these issues, the prudent course of action is for the Commission to postpone consideration of Agenda Item 5.1. After more comprehensive information is available for the Commission's consideration – ideally including a public RfR determination by EPA – a reasoned decision addressing all of these issues could be made, including a determination of whether the project will be protective of human health and whether a CEQA exemption is rightfully applicable.

Thank you for your consideration and attention to these issues.

With regards,



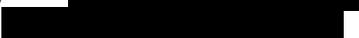
Tom Boer
Partner

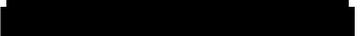


cc (via e-mail):

Mountain View Planning Division (planning.division@mountainview.gov)

Tessa Allen, U.S. EPA Region 9 

Stuart Block, Allen Matkins 

Pam Andes, Allen Matkins 

From: [Andrew Wills](#)
To: [Hughes, Sam](#)
Subject: 515-545 N. Whisman Development Comment
Date: Thursday, February 5, 2026 3:12:09 PM

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Mr. Hughes:

I am a homeowner in the Wagon Wheel neighborhood. I was unable to attend the environmental review board meeting for the planned 515-545 N Whisman townhomes. I have three questions / comments I would like to address:

1. Can you add me to the email list for this development?
2. What is the developer's plan to avoid tetrachloroethylene emissions when they remove contaminated soil during construction?
3. I would like to express my opposition to the developer's plan to clearcut all heritage trees from the site. There are numerous mature redwoods along Whisman that fall within or very near the required setback from the street. In fact, the majority of the mature trees on this parcel are along the periphery of the site. These trees provide a substantial canopy for Whisman and also nicely screen the neighborhood from the new development. The developer should revise their plans to keep the trees along Whisman and also the large tree at the SW corner of the development. If I were to go to the city council and ask to cut the heritage trees in my front setback, you would deny my request; the city should hold the same standard here.

Regards,
Andrew Wills



Hughes, Sam

From: [REDACTED]
Sent: Wednesday, February 25, 2026 5:36 PM
To: Hughes, Sam
Subject: Heritage Tree Removal at 515-545 N. Whishman Drive

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Mr. Hughes,

My name is Gil Reinin, and my family and I have resided in the Mt. View Wagon Wheel district for the past 22 years. Every day, I walk past the magnificent Redwoods and other trees that are now at risk of being cut down to make way for a development. In the summer, I relish their shade, and in the winter, I find them a shelter from the rain. Above all, I admire their grandeur and majestic beauty.

These trees hold a special place in our neighborhood, providing us with unique beauty and grace in our small corner of Mountain View. It would be a travesty to cut them down for a development that could be located elsewhere without causing significant collateral tree damage.

Please do not degrade our neighborhood and take away these very special neighbors, many of whom have been here much longer than any of us.

Thank you for your consideration.

Gil Reinin.

Hughes, Sam

From: marc owen [REDACTED]
Sent: Tuesday, February 24, 2026 4:54 PM
To: Hughes, Sam
Subject: PI-11346 515 N Whisman Road

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Hi Sam

I am writing to tell you how disappointed I am with the city of Mountain View regarding the proposal PI-11346 on Whisman road. How could this even get past the initiative review? 137 mature trees to be removed? Many large Sequoias????!!!

This would RUIN the aesthetic of this Street and neighborhood. Shame for proposing this. Can you please let me know if any meetings are scheduled to discuss this proposal?

Marc Owen

Hughes, Sam

From: Gabriele Heilek [REDACTED]
Sent: Friday, February 6, 2026 8:18 AM
To: Hughes, Sam
Cc: [REDACTED]
Subject: Request to redesign proposal 515-545 N Whisman Road, protection of heritage trees

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Hello Mr. Hughes

I am writing to you with respect to the proposed development at " the Hub" on 515-5454 North Whisman Road. I am a neighbor that lives directly across the street from the planned project.

1. I would like to request a **reduction in mass** of the project: the three story plan is out of character with the neighborhood which consists mostly of 1 -2 story houses. All office buildings so far also have only 2 stories. The developer should consider 2 story row houses in the strip directly bordering North Whisman Road and a more gradual step up to 3-story units in the center. Athena Court should serve as a good model of how a new development can be harmoniously embedded into an existing neighborhood. This would not significantly diminish the scope of the project- maybe 5-10 units less.

2. **Protection of heritage trees:** a consideration should be given to maintain the redwood trees in the current area facing North Whisman Road. They are in good shape (see arborist report) and provide a sight cover as well as a green lung for the neighborhood from the exhaust fumes off Hwy 101. Despite the promise to plant 2 times as many new trees - it will take decades for them to mature and provide the same function.

I hope these considerations from the neighborhood can be heard and taken into account.

best

Gabrielle Heilek Ph.D.

VP Oncology Research Natera
Neighbor living on North Whisman Road

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
[REDACTED] San Francisco, CA 94111-4074
Telephone: [REDACTED] | Facsimile: [REDACTED]
www.allenmatkins.com

Nicholas DuBroff

E-mail: [REDACTED]

Direct Dial: [REDACTED]

File Number: [REDACTED]

Via Email

March 2, 2026

City of Mountain View City Council
500 Castro Street, 3rd Floor
Mountain View, CA 94041-2010
city.council@mountainview.gov

**Re: Rowhouse Project at 515-545 North Whisman Road
File No. 205752**

Dear Councilmembers,

This firm represents Stonelex A, LLC (“Applicant”), the applicant for the above-referenced rowhouse development project (“Project”) located at 515-545 North Whisman Road (“Property”) in the City of Mountain View (“City”). We are writing to respond to the arguments and assertions raised in the comment letter submitted to the Environmental Planning Commission (“EPC”) on behalf of Schlumberger Technology Corporation on February 4, 2026 (“Schlumberger Letter”). The intent of this letter is to confirm that the Project (1) qualifies for a statutory exemption from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21080.66 (“AB 130”) and (2) is subject to the requirements and protections of the Housing Accountability Act (“HAA”). Nothing herein constitutes a waiver, concession, or agreement with any statement of facts and/or legal argument or assertion made in the Schlumberger Letter. Please include this letter in the Agenda materials for the Project’s City Council hearing on March 10, 2026.

I. The Project Satisfies Each of the AB 130 Qualifying Criteria

The Project’s administrative record provides substantial evidence that the Project qualifies for AB 130, including the EPC’s staff report dated February 4, 2026, the draft EPC Project resolution dated February 4, 2026, the Applicant’s AB 130 Compliance Memorandum dated September 23, 2025, and the AB 130 Peer Review Memorandum completed by JHS Consulting on behalf of the City Community Development Department dated November 19, 2025 (“Peer Review Memorandum”). Because the Project satisfies each of the AB 130 qualifying criteria, it is entitled to the CEQA exemption and other streamlining provisions of AB 130.

City of Mountain View City Council

March 2, 2026

Page 2

A. The Property is not on the Cortese List

The Schlumberger Letter states that “[a] preliminary review, however, indicates that the absence of the Property from the Cortese List is likely an error or, at the very least, requires further explanation from DTSC.” (Schlumberger Letter, p. 4.) This statement is incorrect.

AB 130 is clear: a hazardous waste site that is listed on the Cortese List is ineligible for AB 130. (Pub. Res. Code § 21080.66(a)(6); Gov. Code §§ 65913.4(a)(6).) The “Cortese List” is a statewide compilation of hazardous waste sites defined according to nine statutory categories and maintained by the California Environmental Protection Agency (“CalEPA”). (Pub. Res. Code § 21080.66(a)(6); Gov. Code §§ 65913.4(a)(6), 65962.5.)

The Property is not on the Cortese List and the Schlumberger Letter acknowledges that fact. AB 130 does not require a local agency to confer with the Department of Toxic Substances Control (“DTSC”) or any other environmental agency, or for that matter, to confirm that the Cortese List is accurate. Nor does the law direct a local agency to second-guess the CalEPA’s Cortese List determination or manufacture additional environmental review procedures to double-check the work of state environmental agencies.

To determine that the Property is not on the Cortese List, the City relied on two analyses, both of which independently reached the same conclusion: the Property is not on the Cortese List. First, the Applicant submitted an AB 130 Compliance Memorandum dated September 23, 2025, which included Attachment A “*matrix summarizing the results of a comprehensive records search across every sub-list identified in California Government Code § 65962.5 (commonly referred to as the ‘Cortese List’), showing that none of the nine statutory categories applies to the 10-acre[s], and thereby demonstrating that the Property is not included on, or subject to, any portion of the Cortese List.*” (AB 130 Compliance Memorandum, p. 3.) We have attached Attachment A to this letter to be included in the Project’s administrative record.

Second, the City’s own third-party Peer Review Memorandum from November 19, 2025 also concluded that the Property is not on the Cortese List, stating:

While the site has been impacted by past soil, soil gas, and groundwater contamination associated with historical operations at nearby properties, the site itself is not designated as a hazardous waste site or included on any of the Section 65962.5 lists (the Cortese List), nor is it designated as a hazardous waste site under Health and Safety Code Section 25356.29. For these reasons, the project complies with this criterion.

(Peer Review Memorandum, p. 13.)

City of Mountain View City Council

March 2, 2026

Page 3

By contrast, the Schlumberger Letter fails to identify a single statutory criterion that would place the Property on the Cortese List, but baselessly claims that “*a reasonable inference is that DTSC’s algorithm for compiling its portion of the Cortese List may have inadvertently omitted certain active Superfund sites where DTSC is not exercising active oversight.*” (Schlumberger Letter, p. 4.)

The City rightly determined that the Property is not on the Cortese List based on two separate and independent analyses. The Schlumberger Letter provides no evidence to refute this conclusion, so resorts to encouraging the City to ignore AB 130’s plain language and contrive an interpretation of AB 130 potentially supportive of Schlumberger’s baseless claims.

- B. A Phase I environmental assessment is not a prerequisite for AB 130. AB 130 requires an applicant to perform a Phase I environmental assessment as a condition of approval **after** qualifying for AB 130, and fulfill any identified remediation requirements prior to obtaining certificates of occupancy.

The Schlumberger Letter claims that the Applicant should have performed a Phase I environmental assessment and Preliminary Endangerment Assessment to qualify the Project for AB 130. This is incorrect.

AB 130 plainly states: “*The local government shall, as a condition of approval for the development, require the development proponent to complete a phase I environmental assessment. If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment...to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.*” (Pub. Res. Code §§ 21080.66(c)(1)(B).)

AB 130 further provides that “*If a release of a hazardous substance is found to exist on the site, the release shall be removed or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.*” (*Id.* at (C), emphasis added.)

And, “*If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.*” (*Id.* at (D), emphasis added.)

Therefore, the Schlumberger Letter’s statement that “Schlumberger expected to see a Preliminary Endangerment Assessment...Such an assessment is required where recognized environmental conditions, like those on the Property, are identified,” is not based on any statutory requirement and misconstrues AB 130.

City of Mountain View City Council

March 2, 2026

Page 4

That said, the Applicant has proactively performed a Phase I environmental assessment and is in direct communication with both the United States EPA (“USEPA”) and the City to ensure the Project complies with all regulatory requirements. For instance, the Property would be subject to remediation requirements identified in a 1989 EPA Record of Decision as well as the EPA’s “Record of Decision Amendment for the Vapor Intrusion Pathway, MEW Superfund Study Area” (EPA 2010) and the “Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway, MEW Superfund Study Area” (EPA 2011), which the City analyzed in the Integrated Draft/Final EIR for the East Whisman Precise Plan Project. The City concluded that, with the implementation of the EPA-required remediation measures, the *“potential VOC-related impacts from MEW contaminants in soil and, soil vapor impacts and groundwater to construction workers, area residents, and the environment would be less than significant.”* (Integrated DEIR/FEIR, p. 118, emphasis added.¹)

Indeed, the City and the USEPA have developed a robust set of remediation requirements and conditions for residential development in the MEW Superfund Study Area. In 2020, the City approved a residential development project at 355-365, 401 and 415 East Middlefield Road (Application No. 2018-207; Resolution Nos. 18543, 18542) located in the East Whisman Precise Plan and that included 36 four-story townhomes with attached garages. The project approvals included conditions that fulfill City and Federal regulatory standards. Similarly, in 2015, the City approved development of 26 rowhouses at 277 Fairchild Drive (Application No. 64-14-PCZA; Resolution Nos. 17955, 17954), subject to remediation conditions that fulfill City and Federal regulatory standards. The rowhouses at 277 Fairchild Drive have since been constructed.

AB 130’s bespoke remediation requirements and the USEPA’s and City’s well-established process for ensuring remediation in the MEW Superfund Study Area will apply to the Project, with all remediation requirements satisfied before issuance of any certificates of occupancy for the Project.

II. The Project Cannot Legally Be Denied Under the Housing Accountability Act

To address the statewide housing shortage, the HAA promotes the approval of housing development projects, including mixed-use projects with at least two-thirds of the square footage designated for residential use. The HAA supports the approval of housing development projects by limiting the discretion that local agencies have to deny or impose density-reducing conditions on such projects. (Gov. Code § 65589.5(j).) The Project qualifies as a “housing development project” under the HAA because more than two-thirds of the square footage is designated for residential use.

¹ Available at: <https://www.mountainview.gov/our-city/departments/community-development/planning/regulations/precise-plans/east-whisman-precise-plan>.

City of Mountain View City Council

March 2, 2026

Page 5

If a housing development project complies with “applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards in effect at the time that application was deemed complete,” a local agency cannot disapprove the project or require that it be developed at a lower density absent agency findings based on a “preponderance of evidence” that (1) the “project would have a specific, adverse impact upon the public health or safety” and (2) “[t]here is no feasible method to satisfactorily mitigate or avoid the adverse impact” other than disapproving the project or requiring its development at a lower density. (Gov. Code §§ 65589.5(j)(1), (2).)

“Objective” standards are those involving no personal or subjective judgment that are uniformly verifiable by reference to some external standard. (Gov. Code § 65589.5(h)(9).) A development standard that has been waived under the State Density Bonus Law is not “applicable” and therefore may not be used as a basis to deny or reduce the density of a project. (Gov. Code § 65589.5(j)(3).)

A “specific, adverse impact” is a “significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.” (Gov. Code § 65589.5(j)(1)(A).) Importantly, “[i]t is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety, as described in paragraph (2) of subdivision (d) and paragraph (1) of subdivision (j), arise infrequently.” (Gov. Code § 65589.5(a)(3) (emphasis added).)

Because the Project uses the State Density Bonus Law and complies with all “applicable, objective general plan, zoning, and subdivision standards and criteria,” as demonstrated in the application materials and in the findings of the EPC, the City may only deny the Project, or approve it with reduced density, if it finds the Project would have a “specific, adverse impact upon the public health or safety” and there is “no feasible method to satisfactorily mitigate or avoid the adverse impact” other than denial or approval at a lesser density. (Gov. Code § 65589.5(j)(1).)

The City cannot find that the Property’s location within the MEW Superfund Study Area creates an unmitigable “specific, adverse impact upon the public health or safety” because the City, in coordination with the USEPA, has developed and implemented remediation, mitigation, and monitoring measures that satisfactorily mitigate and/or avoid an adverse impact. In the East Whisman Precise Plan Integrated DEIR/FEIR, the City found that implementing the USEPA’s prescribed measures, including remediation, mitigation, and monitoring measures, would reduce potential environmental impacts from the MEW Superfund Study Area to a “less than significant” level and allow the residential uses authorized in the precise plan. (East Whisman Precise Plan Integrated DEIR/FEIR, pp. 116-118.) Therefore, to make such a finding would require the City to contradict its previous conclusions authorizing residential uses in the East Whisman Precise Plan, including the Property, that overlap with the MEW Superfund Study Area.

City of Mountain View City Council

March 2, 2026

Page 6

Empirical evidence confirms that the USEPA-prescribed remediation, mitigation, and monitoring measures are feasible and satisfactorily mitigate the potential impacts to residential uses. As noted above, the City previously authorized townhouse and rowhouse development in the MEW Superfund Study Area at 355-365, 401 and 415 East Middlefield Road and 277 Fairchild Drive subject to the City's and USEPA's requirements. The project at 277 Fairchild Drive has since fulfilled these conditions and completed construction.

Last, Schlumberger's statements and positions regarding residential development on the MEW Superfund Study Area have been inconsistent. Schlumberger previously confirmed to the City that implementation of the EPA's remediation, mitigation and monitoring requirements would make sites located on the MEW Superfund Study Area appropriate for residential uses. A 2017 public comment letter from counsel for Raytheon and Schlumberger, the responsible entities for the MEW Superfund Study Area, was entered into the administrative record prior to adoption of the East Whisman Precise Plan Program EIR and states:

For purposes of the City's preparation of the Program EIR, we are providing the following information to ensure the administrative record contains the regulatory orders that direct the ongoing remediation, mitigation and monitoring activities for the Middlefield-Ellis-Whisman Superfund Study Area (MEW Site). Raytheon and Schlumberger are among the "MEW Parties" currently implementing the selected remedial and mitigation actions for the MEW Site...

Implementation of the 1989 ROD and 2010 ROD Amendment is successfully proceeding at the MEW Site and has proven to be protective of human health and the environment.

The 1989 ROD and 2010 ROD Amendment were the products of two exhaustive multiyear processes of data collection, technical analysis, public discourse, and policy development overseen by EPA, as required by the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) statute. Upon completion of those processes, as stated in the 1989 ROD and 2010 ROD Amendment, the EPA concluded that these selected remedies and mitigation measures are protective of human health and the environment, including occupants of existing and future residential and commercial buildings within the MEW Site, and that they satisfy applicable federal and state requirements.

(Sept. 15, 2017 Public Comment Letter, pp. 1-2 (emphasis added); attached as Attachment B.) Therefore, the City should review the Schlumberger Letter's statements, claims, and requests for

City of Mountain View City Council

March 2, 2026

Page 7

additional procedures with caution. Entertaining the Schlumberger Letter's claims would imperil the City's goal of producing market-rate and affordable housing.

If the City were to disallow residential development on the MEW Superfund Study Area in the instant case and/or on other projects, the City would jeopardize meeting its state housing production targets set forth in the Regional Housing Needs Allocation ("RHNA") and expose itself to actions under the HAA. If a residential development project is unlawfully denied, the Applicant, a person who would be eligible to reside in a proposed project, or a housing organization, may bring an action to enforce the HAA. (Gov. Code § 65589.5(k).) In addition, the California Department of Housing and Community Development can find that a local government has taken an action in violation of the HAA, and after notifying a local government of the violation, would refer the violation to the Office of the Attorney General for further action. (Gov. Code § 65585(j).) A city that is found to have disapproved a housing development project in violation of the HAA is subject to a Court order requiring approval of the development and an award of attorney's fees. (Gov. Code § 65589.5(k)(1)(A)(ii).)

As the Lead Agency under CEQA, the City has correctly interpreted AB 130 and concluded, based on substantial evidence in the administrative record, that the Project is eligible for AB 130. Moreover, the Project is subject to the requirements and protections of the HAA. For the above reasons, the City should approve the Project as proposed.

Best,



Nicholas DuBroff

ND:ctr

Attachment A: Matrix Summarizing Results of Comprehensive Records Search for Cortese List
Attachment B: Letter from Colopy and Boer to Eric Anderson, City of Mountain View, Sept. 15, 2017

cc: Christian Murdock, Community Development Director
(christian.murdock@mountainview.gov) (via email)
Mountain View Planning Division (planning.division@mountainview.gov) (via email)

Attachment A

Matrix Summarizing Results of Comprehensive Records Search for Cortese List

#	Cal Gov Code	Agency	Site Type	Reference	Detailed Criteria	Current Database (hyperlinks in footnotes)	Site listed in Current Database?
1	65962.5(a)(1)	DTSC	Hazardous waste facilities subject to corrective action (formerly "CALSites")	Cal H&S Code Section 25187.5	Facilities where DTSC has taken or contracted for corrective action due to owner/operator failure to comply with corrective action orders, or where immediate action was necessary to abate imminent substantial danger to public health, livestock, wildlife, or environment	EnviroStor Database - Very limited list (only 2 facilities currently listed) ¹	No
2	65962.5(a)(2)	DTSC	Land designated as hazardous waste property or border zone property	Cal H&S Code Section 25220 (former Article 11)	Land designated as hazardous waste property or border zone property under former statutory provisions	No facilities currently designated ¹	No
3	65962.5(a)(3)	DTSC	Hazardous waste disposals on public land	Cal H&S Code Section 25242	Information DTSC receives from a city, county, or state agency on hazardous waste disposals that occurred on public land	DTSC's Emergency Response Program does not currently keep records of such reports but will track these "in the future" ¹	N/A
4	65962.5(a)(4)	DTSC	Sites listed under State Response/Superfund programs	Cal H&S Code Section 78760 (Article 5)	Sites listed under the State Response program (formerly Annual Workplan sites) and Federal Superfund sites requiring response action under hazardous substance release criteria	DTSC's Hazardous Waste and Substances site "Cortese" list ²	No
5	65962.5(b)	State DHS	Public drinking water wells with detectable organic contaminants	Cal H&S Code Section 116395	Public drinking water wells containing detectable levels of organic contaminants subject to analysis	No current listings (program completed in 1988) ³	N/A
6	65962.5(c)(1)	SWRCB	Underground storage tanks with unauthorized release reports	Cal H&S Code Section 25295	Underground storage tanks where unauthorized release reports have been filed for releases escaping secondary containment, increasing fire/explosion hazard, or causing deterioration of secondary containment	GeoTracker Database - Active reporting since 1996/1997 ⁴	No
7	65962.5(c)(2)	SWRCB	Solid waste disposal facilities with hazardous waste migration	Water Code Section 13273(e)	Solid waste disposal facilities where regional water boards have determined hazardous waste has migrated into water and notified DTSC, excluding facilities where migration has been stopped	List maintained by Water Board (PDF format) ⁵	No
8	65962.5(c)(3)	SWRCB	Sites with cease and desist orders or cleanup/abatement orders	Water Code Sections 13301 and 13304	Cease and desist orders issued after January 1, 1986 and cleanup/abatement orders issued after January 1, 1986 concerning discharge of hazardous materials (not including non-hazardous domestic sewage, food processing waste, or sediment)	Water Board database (Excel format with caveat about non-hazardous orders) ⁶	No
9	65962.5(d)	Local Agency & CalRecycle	Solid waste disposal facilities with known hazardous waste migration	Title 14 CCR Section 18051	Solid waste disposal facilities with known migration of hazardous waste, compiled by local enforcement agencies and consolidated by CalRecycle	This information is no longer reported to the Secretary by CalRecycle. Any solid waste disposal facilities with a known migration of hazardous waste should be included on the Cortese list pursuant to the requirements of Government Code 65692.5(c)(2) and/or (c)(3). ⁷	N/A

FN1 <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>

FN2 https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST

FN3 <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5b/>

FN4 <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5c/>

FN5 <https://calepa.ca.gov/wp-content/uploads/2016/10/SiteCleanup-CorteseList-CurrentList.pdf>

FN6 <https://calepa.ca.gov/wp-content/uploads/2016/10/SiteCleanup-CorteseList-CDOCAOList.xlsx>

FN7 <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5d/>

Attachment B

Letter from Colopy and Boer to Eric Anderson, City of Mountain View, Sept. 15, 2017

September 15, 2017

Via Email (Eric.Anderson2@MountainView.gov) and Mail

Eric Anderson, AICP, Planner
City of Mountain View
Community Development Department
500 Castro Street
PO Box 7540
Mountain View, CA 94039-7540

Re: **Program EIR for East Whisman Precise Plan**

Dear Mr. Anderson:

On behalf of Raytheon Company (Raytheon) and Schlumberger Technology Corporation (Schlumberger),¹ this letter is submitted to the City of Mountain View as the Lead Agency for preparation of the Program Environmental Impact Report (EIR) for the East Whisman Precise Plan, and in response to the City's request for public comments regarding the scope and content of the Program EIR.

For purposes of the City's preparation of the Program EIR, we are providing the following information to ensure the administrative record contains the regulatory orders that direct the ongoing remediation, mitigation and monitoring activities for the Middlefield-Ellis-Whisman Superfund Study Area (MEW Site). Raytheon and Schlumberger are among the "MEW Parties" currently implementing the selected remedial and mitigation actions for the MEW Site.

The selected remedial actions are set forth in, and dictated by, the June 9, 1989 Record of Decision (1989 ROD) issued by the U.S. Environmental Protection Agency (EPA), as modified by two Explanations of Significant Differences (ESDs) in September 1990 and April 1996. For chemicals of concern in the subsurface which pose a risk of migration into indoor air, the selected remedial and mitigation actions are set forth in, and dictated by, the August 16, 2010 Amendment to the 1989 ROD (2010 ROD Amendment) issued by EPA.² Implementation of the

¹ I am outside counsel for Raytheon in this matter. Tom Boer of Hunton & Williams is outside counsel for Schlumberger in this matter.

² The 1989 ROD and 2010 ROD Amendment are available at:

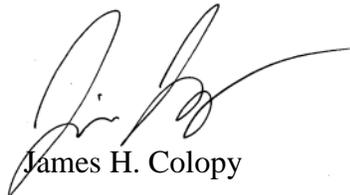
1989 ROD and 2010 ROD Amendment is successfully proceeding at the MEW Site and has proven to be protective of human health and the environment.

The 1989 ROD and 2010 ROD Amendment were the products of two exhaustive multi-year processes of data collection, technical analysis, public discourse, and policy development overseen by EPA, as required by the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) statute. Upon completion of those processes, as stated in the 1989 ROD and 2010 ROD Amendment, the EPA concluded that these selected remedies and mitigation measures are protective of human health and the environment, including occupants of existing and future residential and commercial buildings within the MEW Site, and that they satisfy applicable federal and state requirements. A material change to these selected remedies and mitigation measures would require a further Amendment of the ROD, which has not occurred.

Accordingly Raytheon and Schlumberger request that the City account for the presence of the MEW Site and the selected remedial and mitigation actions, as set forth in the 1989 ROD and 2010 ROD Amendment, during its preparation of the Program EIR for the East Whisman Precise Plan.

In addition, on behalf of Tom Boer and myself, we ask for the opportunity to meet with you to discuss the East Whisman Precise Plan. I would appreciate if you would advise when you could be available for such a meeting.

Very truly yours,



James H. Colopy

cc: J. Tom Boer, Hunton & Williams LLP

[https://yosemite.epa.gov/r9/sfund/r9sfdocw.nsf/3dc283e6c5d6056f88257426007417a2/214a2ad20b145550882575f5006bb765/\\$FILE/Record%20of%20Decision,%20MEW%20Study%20Area%20-%206-9-89.pdf](https://yosemite.epa.gov/r9/sfund/r9sfdocw.nsf/3dc283e6c5d6056f88257426007417a2/214a2ad20b145550882575f5006bb765/$FILE/Record%20of%20Decision,%20MEW%20Study%20Area%20-%206-9-89.pdf)

[https://yosemite.epa.gov/r9/sfund/r9sfdocw.nsf/3dc283e6c5d6056f88257426007417a2/6c373a69325cd99f882577820077b04b/\\$FILE/MEW%20VI%20ROD%20Amendment%20and%20ORS%20-%20Aug%2016%202010.pdf](https://yosemite.epa.gov/r9/sfund/r9sfdocw.nsf/3dc283e6c5d6056f88257426007417a2/6c373a69325cd99f882577820077b04b/$FILE/MEW%20VI%20ROD%20Amendment%20and%20ORS%20-%20Aug%2016%202010.pdf)



REGION 9

SAN FRANCISCO, CA 94105

March 4, 2026

Mr. Christian Murdock
Community Development Director
City of Mountain View
500 Castro St.
Mountain View, CA 94041

Re: U.S. Environmental Protection Agency Comments on the Proposed Development at 515-545 N. Whisman Rd in Mountain View, CA

Dear Mr. Murdock:

The U.S. Environmental Protection Agency (EPA) appreciates the opportunity to comment on the proposed development at 515-545 N. Whisman Road, which is located on the Fairchild Semiconductor Corporation Superfund Site and lies within the larger Middlefield-Ellis-Whisman (MEW) Superfund Study Area. This proposal raises several issues that EPA will need to thoroughly evaluate, including what measures would be needed to ensure protection of human health considering the proposed change from commercial to residential land use and the development's potential impacts on existing remedial infrastructure.

Due to recent legal and administrative changes, it is our understanding that EPA's involvement and review of the work needed to support this potential residential development is occurring later in the City of Mountain View's planning process. Thus far, EPA has had preliminary discussions with both the proposed developer and the parties currently implementing the remedies affecting 515-545 N. Whisman Road. This project's complexity, primarily due to its location over the Fairchild Semiconductor Corporation Superfund Site, will require an in-depth, site-specific analysis to assess the degree to which additional cleanup is needed, to ensure that the appropriate regulatory and prospective purchaser agreements are finalized, and to determine how public health and the environment will continue to be protected. As we work through these issues, we are committed to our strong ongoing working relationships with the City of Mountain View, and our State and local regulatory partners.

EPA's Superfund program oversees or performs the cleanup of contaminated hazardous waste sites to protect human health and the environment, and we support the safe, beneficial use of

this property. If you have questions or concerns regarding EPA's work in the MEW Superfund Study Area, please contact Grace Beery at beery.grace@epa.gov.

Sincerely,

Omer Shalev,
Supervisory Environmental Engineer
Superfund and Emergency Management Division

cc: Eric Anderson, City of Mountain View
Sam Hughes, City of Mountain View
Brian Griggs, Griggs Group
John McLaughlin, Elevate Environmental Consultants Inc.
Pamela Andes, Allen Matkins
Kelly Sperbeck, Schlumberger Technology Corporation
Eric Suchomel, Geosyntec Consultants
Tom Boer, Hogan Lovells