



Biscuit Flats Environmental Site Assessment

Parcels: TRS – 5N-2E-7, TRS – 5N-2E-8, TRS – 5N-2E-9, TRS – 5N-

2E-18, TRS- 5N-2E-17, and TRS – 5N-2E-16

February 2023

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Summary

Conсор Engineers, LLC (Conсор) was retained by Arizona State Land Department (User) to conduct a Phase I Environmental Site Assessment (ESA) of portions of four sections (T5N R2E sections SE 8, 9, NE 16 and 17). The undeveloped parcels, identified as the 'property', are located south of SR-74 (Carefree Highway), west of Interstate 17 (Black Canyon Freeway), and north of SR-303 (Bob Stump Memorial Parkway) in Phoenix, Maricopa County, AZ. The ESA was performed in general accordance with American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (E1527-13 and E2247-16).

Based on the ESA, which included a site reconnaissance survey conducted on January 7, 2023, the property retains no known or suspected recognized environmental conditions (REC). The property is located in the Arizona ecoregion 811 (Arizona Upland/Eastern Sonoran Basins). Which consists primarily of desert botanical species and eroded soils consisting of gullies and rills. The presence of contaminants at a property may not always be apparent, and the completion of a Phase I ESA cannot provide a guarantee that hazardous wastes or materials do not exist; however, based on the present findings and the Users' proposed development, a Phase II evaluation is not recommended at this time. The preceding summary is intended for introductory and reference use only. A complete reading of this report is suggested.

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1. Introduction

1.1 Purpose and Scope of Work

Conсор Engineers, LLC (Conсор) completed this Phase 1 Environmental Site Assessment (ESA) according to the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (E1527-13 and E2247-16). The purpose of this ESA is to gather information of on-site environmental conditions in order to provide the Arizona State Land Department (ASLD) (the user) with knowledge of potential recognized environmental conditions (RECs) that may affect future potential uses of the property.

The term Recognized Environmental Condition (REC) is defined by the ASTM Standard 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; or (3) under conditions that pose a material threat of future release to the environment. De minimis conditions are not recognized environmental conditions.” De minimis conditions generally do not present a material risk to human health and would not be subject to enforcement action.

This investigation also allows the user to use an “innocent land owner” exception if contamination were to be discovered in the future. This environmental investigation of the property includes the identification (as far as was feasible) of RECs on the property. The Phase I ESA included a review of pertinent federal, state, and local records; interviews with key site officials; a site visit; and this report.

The scope of work includes the following:

- Record review of regulatory databases (e.g., underground storage tanks [USTs], above ground storage tanks [ASTs], release cases, hazardous substance storage and disposal, and institutional and engineering controls). A review of historic records, and a review of state environmental agencies.
- Interviews with current and previous property owners, operators, occupants, and others familiar with the property (as available and reasonable) for knowledge of on-site contaminants or waste.
- A reconnaissance site survey and observation of adjacent properties for surface indications of potential hazardous substances in the environment.
- A report documenting the results and defining all findings.

1.2 Assumptions, Limitations, and Exceptions

A Phase I ESA does not include any testing of soil, water, air, building materials, or any other materials. Information obtained in interviews was assumed to be accurate unless conflicting information was collected during the investigation. Environmental impairment of a property may result from illegal or unreported dumping activities. It should be noted that the presence of contaminants at a property may not always be apparent, and the completion of a Phase I ESA cannot provide a guarantee that hazardous wastes or materials do not exist.

The Phase I ESA process includes investigating substances in those quantities and conditions specified in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 USC 9601[14]). Substances not present on the CERCLA list or in quantities or conditions not included in the list are beyond the scope of this investigation; however, this evaluation does include an investigation of potential petroleum contamination, which is not regulated by CERCLA.

The Records Review (E1527 - 13, Sec. 8) encompasses the parcels listed in this report, including the Site Reconnaissance survey (E1527 - 13, Sec. 9) for the area proposed for future potential use. (Details are provided in Section 5.) The following report discusses parcels singly and uses the term “property” to reference all parcels reviewed as a single entity (see Section 2.2).

This ESA depends on the quality of its sources. Recognizing that sources can vary in accuracy and completeness, Consor made reasonable good faith attempts to compensate for identified mistakes or insufficiencies in the information gathered, but cannot ensure that all data included in this report is complete and accurate. Any mistakes, omissions, or negligencies included in the data gathered by Consor are presumed to have been caused by others. Consor does not accept or acknowledge any liability for errors in the data. This ESA should be considered valid for 180 days from the date of this report.

1.3 Non-Scope Items

The following items are generally beyond the scope of a Phase I ESA and are not included in this report. This Phase I ESA report should not be used for any other purposes outside the stated work scope.

- Abbestos-containing building materials
- Lead-based pain
- Cultural and historic resources
- Health and safety
- Wetlands (Jurisdictional)
- Collection and testing of soils/groundwater samples
- Geotechnical studies
- Endangered species
- Biological agents
- Radon
- Surface and drinking water samples
- Regulatory compliance
- Industrial hygiene
- Ecological resources
- Building material samples for hazardous materials (i.e. PCBs)
- Geologic hazards
- Air samples (including radon)
- Mold

2. Property Description

The information provided in this section was obtained from site reconnaissance, readily available maps, documents, and interviews with people knowledgeable about the property.

2.1 Location and Legal Description

The property is located at State Route 74 (SR-74) West Carefree Highway to the north, Interstate 17 (I-17) Black Canyon Freeway to the east, and State Route 303 (SR-303) Bob Stump Memorial Parkway to the

south in Phoenix, Maricopa County, Arizona, and includes site numbers AZ T:4:345 ASM, AZ T:4:456 ASM and AZ T:4:458 ASM (see Figures 1 and 2) and parcel numbers TRS - 5N-2E-7, TRS - 5 N-2E-8, TRS - 5 N-2E-9, TRS - 5 N-2E-18, TRS - 5 N-2E-17, and TRS - 5 N-2E-16. Parcel numbers and legal descriptions were taken January 27, 2023 from ASLD on-line parcel viewer. Records are located in Table 1. Please note that the property does not include the parcel currently being developed by TSMC.

Table 1. Parcel Information

Parcel Number	Legal Description	Owner
Site Number	Legal Description	Owner
AZ T:4:345 ASM	TRS - 5N-2E-7, TRS - 5 N-2E-8, TRS - 5 N-2E-9, TRS - 5 N-2E-18, TRS - 5 N-2E-17, and TRS - 5 N-2E-16	Arizona State Land Department
AZ T:4:456 ASM	TRS - 5N-2E-7, TRS - 5 N-2E-8, TRS - 5 N-2E-9, TRS - 5 N-2E-18, TRS - 5 N-2E-17, and TRS - 5 N-2E-16	Arizona State Land Department
AZ T:4:458 ASM	TRS - 5N-2E-7, TRS - 5 N-2E-8, TRS - 5 N-2E-9, TRS - 5 N-2E-18, TRS - 5 N-2E-17, and TRS - 5 N-2E-16	Arizona State Land Department

2.2 Property and Vicinity Characteristics

As described above, the property is in the City of Phoenix and includes three parcels that are undeveloped. Adjacent land-use includes the Arizona Game and Fish Headquarters to the north and I-17 to the east and the TSMC campus (currently under construction) to the south; there is no adjacent land-use to the west. Please note that this report covers the parcels labelled TP and MU, and not TC on the attached exhibit.

2.3 Current Use

The property is owned by the Arizona State Land Department. While currently vacant, past usage included grazing, livestock watering, recreational hunting, and off-roading.

2.4 Structures, Roads, and Other Improvements

Improvements on or adjacent to the property include the following:

SR-303 (Bob Stump Memorial Parkway)

I-17 (Black Canyon Freeway)

SR-74 (Carefree Highway)

2.5 Current Use of Adjacent Properties

The property is located north of Phoenix. The adjacent properties are government, recreational, and residential.

3. Information Gathered from User

The ASLD (the user), by their representative, Ray Moore, Sales and Commercial Leasing, was asked to share any knowledge regarding environmental concerns on the property. Mr. Moore responded via email returning a questionnaire on September 9, 2020 (see Appendix A); information is outlined below.

Mr. Moore indicated that the reason why the Phase I ESA is being performed is for the sale of the property. The scope of services desired for this Phase I ESA do not require any considerations beyond the requirements of Practice E1527 and E2247. He was not aware at this time of any hazardous materials that had been stored on the property or of any underground storage tanks.

3.1 Title Records

Records from the Maricopa County Assessor's Office were examined by Consor using the Maricopa County online parcel information system. No other title information regarding the property was reviewed by Consor. It is expected that the parcels will be subdivided to exclude portions of no interest to the development of the property.

3.2 Environmental Liens or Use Limitations

The user was not aware of any environmental liens, administrative use limitations, or engineering controls on the property.

3.3 Specialized Knowledge

The user had no specialized knowledge regarding potential recognized environmental conditions on the property.

3.4 Potential Valuation Reduction

The property will be transferring ownership. Therefore, any characteristics of the property that might reduce its value is unknown at this time.

3.5 Owner Information

Table 1 displays owner information. An owner contact was provided by Consor's project manager.

3.6 Purpose of the Phase I ESA

The user, ASLD, requested the Phase I ESA in preparation for the public sale of the property.

3.7 Known Documents Not Provided

No documents related to environmental concerns on the property were identified by the user.

4. Records Review

4.1 Objectives

The purpose of the records review is to examine records that assist in identifying recognized environmental conditions (RECs) on or near the property. Accuracy and completeness of information can vary by information source, including those provided by federal, state, and local governments. Conсор made a reasonable effort to identify and correct mistakes or incompleteness in the data.

4.2 Standard Record Sources

The following record sources were reviewed in preparation of this document:

- **Federal National Priorities List (NPL):** The NPL prioritizes investigation and cleanup of known releases of hazardous materials in the United States. (The list was accessed January 9, 2023 on the Environmental Protection Agency (EPA) website.)
- **Delisted NPL Sites:** This source includes NPL sites where cleanup or remediation has been completed. (The source was accessed January 9, 2023 on the EPA website.)
- **Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS):** This list includes sites on or being considered for the NPL and includes information about the sites as well as remediation activities. (The list was accessed January 9, 2023 on the EPA and state Department of Environmental Quality [DEQ] websites.)
- **CERCLIS No Further Remedial Action Planned (NFRAP) List:** This list includes sites that have been considered for the NPL, but which the EPA has determined will not be listed. (The list was accessed January 9, 2023 on the EPA website.)
- **Resource Conservation and Recovery Act—Corrective Actions (RCRA CORRACTS):** The RCRA regulates the manufacture, storage, and use of hazardous materials. The Corrective Action program allows the EPA to require cleanup of contaminated properties. (The source was obtained from the EPA 2020 CORRACTS list. No more up-to-date documentation is available.)
- **RCRA non-CORRACTS Treatment, Storage and Disposal (TSD):** A list of treatment, storage, and disposal facilities regulated by the RCRA, but not subject to corrective actions. These facilities receive hazardous waste from generating facilities. (List was obtained from the EPA 2020 TSD list. No more up-to-date documentation is available.)
- **RCRA Generators:** A recent list of facilities generating hazardous waste that are regulated by the RCRA. (List was obtained from the state DEQ website on January 9, 2023.)
- **Federal Emergency Response Notification System (ERNS):** A database of hazardous materials spills reported to the National Response Center. (Database was accessed January 9, 2023 on the US Coast Guard temporary National Response Center website.)

- **State Leaking Underground Storage Tank (LUST) List:** A list of underground petroleum tanks that have been listed as leaking. (List was obtained January 9, 2023 from the Arizona state DEQ website.)
- **State Underground Storage Tank (UST) List:** A list of all underground storage tanks known to exist in the state. (List was obtained January 9, 2023 from the Arizona state DEQ website.)
- **State Voluntary Cleanup Program (VCP) Site List:** A list of sites being voluntarily remediated by their owners. (List was obtained January 9, 2023 from the Arizona state DEQ website.)
- **State Brownfield Sites:** A list of sites contaminated by industrial activity. (List was obtained January 9, 2023 from the Arizona state DEQ website.)

The results of the environmental record search are in Tables 2 and 3. Table 2 includes sites likely to pose a high risk of contamination to the property. No high-risk sites were discovered within the surveyed 50-foot radius from the property. The results in Tables 2 and 3 include a search radius of 0.5 to 1-mile.

Table 2. High-Risk Sites Near the Property

List	Radius from Property (Miles)	Occurrences
NPL	1.0	0
CERCLIS	0.5	0
VCP	0.5	0
Spills List (ERNS)	Property	0
State Brownfield Sites	0.5	0
LUST	0.5	0

Table 3. Other Recorded Instances Near the Property

List	Radius from Property (Miles)	Occurrences
Delisted NPL	0.5	0
CERCLIS NFRAP	0.5	0
RCRA CORRACTS	1.0	0
RCRA TSD	0.5	0
RCRA Generators	Property and adjoining	0
Arizona Site List	1.0	0

List	Radius from Property (Miles)	Occurrences
Solid Waste Landfill	0.5	0
UST	Property and adjoining	0
Institutional Control	Property	0

State Brownfield Site

Records indicate no Brownfield Program projects occur within half-mile of the property.

Leaking Underground Storage Tanks (LUST)

Records show no LUST located within half-mile and within the property boundary.

Underground Storage Tanks (UST)

Records show no UST sites on the property.

4.3 Physical Setting Sources

Records from the Arizona Division of Water Rights (DWR) were examined to identify water rights on and near the property; none were observed during the site reconnaissance. Ephemeral washes on-site are unnamed and are tributaries of either the New River or Skunk Creek watersheds. The three floodplains identified on the west are tributaries to the New River drainage and discharges to the New River impoundment area near Lake Pleasant Parkway. The three floodplains identified on the east side are tributaries to the Skunk Creek drainage and discharge to the Adobe Dam impoundment area.

4.4 Historical Use Information

Records from multiple sources were consulted to develop a history of the previous uses of the property. Aerial photos, General Land Office Records, and Topographic maps show that since the 1800s, the project area has been utilized as homesteading, farming, and ranching land.

5. Site Reconnaissance

The site visit focused on observations of current conditions indicating the possibility of RECs in connection with the property.

5.1 Methodology and Limiting Conditions

The site reconnaissance visit was conducted on January 7 2023, by Consor employee, Lars Anderson. During the a previous site visit, Consor conducted an aerial survey through use of an unmanned aerial vehicle (UAV) to capture various angles of the three sites (i.e., site numbers AZ T:4:345 ASM, AZ T:4:456 ASM and AZ T:4:458 ASM). The aerial survey was performed by certified UAS operators in compliance with Section 333 of the Federal Aviation Administration's (FAA) Modernization and Reform Act.

5.2 General Property Setting and Observations

Areas noted during the survey of the property include the following:

- **Gibson Tank:** While currently vacant, the area features remnants of previous grazing, livestock watering, and offroading.
- **Aso Tank:** The area appears unused aside from apparent offroad vehicle usage. This tank is just outside the project survey area.

Unmarked Suspect Containers

During the reconnaissance survey, no dilapidated unmarked containers were observed on the property. No soil staining was observed, and no stressed vegetation was observed.

De Minimis Condition

This is a condition that generally does not represent a threat to human health or the environment and generally would not be subject to enforcement if brought to the attention of appropriate agencies. No De Minimis Conditions were observed.

6. Interviews

6.1 Interview with Owners' Representatives

Conсор, as PEC, conducted an interview with Ray Moore, the Arizona State Land Department representative, via questionnaire sent by email (Appendix A). Mr. Moore returned the questionnaire on September, 9 2020 along with pertinent information regarding the history of the site and proposed areas for future development.

6.2 Interview with Tenant

No current tenant; property is owned and currently utilized by the ASLD.

7. Findings and Conclusions

Through a federal and state records search of hazardous materials and waste sites, Conсор identified no REC associated with Keystone Development parcels. No activity or use limitations were identified by the current property owner and no historical artifacts were discovered on-site. Ephemeral drainage were found within the property boundaries. No threatened or endangered species were found on or near the property.

8. Environmental Professional Statement

Conсор declares that, to the best of professional knowledge and belief, I meet the definition of an *environmental professional* as defined in §312.10 of 40 CFR 312. Conсор recommends that I have the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the subject *property*. I have developed and performed all the appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Lars Anderson
Environmental Specialist

9. References

Federal Emergency Management Administration (FEMA)

2020 FEMA Flood Map Service Center. Accessed January 9, 2023. <<https://msc.fema.gov/portal/home>>

National Response Center

2020 National Response Center, United States, Coast Guard. Accessed January 9, 2023. <<http://www.nrc.uscg.mil/>>

United States Environmental Protection Agency (EPA)

2020 U.S. Environmental Protection Agency. Accessed January 9, 2023. <<https://www.epa.gov/>>

Arizona Department of Environmental Quality (DEQ)

2020 Arizona Department of Environmental Quality. Accessed January 9, 2023. <<https://deq.arizona.gov/>>

Arizona Division of Water Rights (DWR)

2020 Arizona Division of Water Rights. Accessed January 9, 2023. <<https://www.waterri ghts.arizona.gov/>>

Arizona Geologic Survey (UGS)

2014 UGS Aerial Imagery Collection. Accessed January 9, 2023. <<https://geodata.geology.arizona.gov/imagery/>>



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Appendix A

Phase I ESA Questionnaire



Phase I Environmental Site Assessment Questionnaire

Date: 8 September 2020

**Required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31
In compliance with ASTM E1527 – 13**

Name and Company Affiliation:

Ray Moore, ASLD

- (a) Reason why the Phase I is being performed:

Property is being prepared for sale.

- (b) Type of property and type of property transaction (i.e., sale, purchase, exchange, etc.):

Native desert for sale.

- (c) The complete and correct address for the property (a map or documentation if indicated):

I-17 to Dead Man's Wash, Carefree Highway to SR-303.

- (d) Scope of services desired for the Phase I; including whether any parties to the property transaction may have a required standard scope of services or any considerations beyond the requirements of Practice E1527 (i.e., asbestos, lead in drinking water, etc.):

Practice E1527 will be the requirement.

- (e) Identification of all parties who will rely on the Phase I Report:

Arizona State Land Department & successful bidder at auction.

- (f) Identification of the site contact and how the contact can be reached:

Ray Moore, rmoore@azland.gov, 602-364-1126

- (g) Any special terms or conditions:

No.

- (h) Any other knowledge or experience with the property that may be pertinent (i.e., copies of any prior environmental site assessment reports, documents, correspondence, etc., concerning the property and its environmental condition:

Property has no special or previous reports.



1. Environmental Liens (40 CFR 312.25)

Are there any environmental liens filed or recorded against the property under federal, tribal, state or local law?

No environmental liens filed.

2. Activity and Use Limitations (40 CFR 312.26(a)(1)(v)(vi))

Are there any AULs such as engineering controls, land use restrictions or institutional controls in place and/or have been filed or recorded against the property under federal, tribal, state, or local law?

No activity use limitations filed.

3. Specialized Knowledge (40 CFR 312.28)

Do you have any specialized knowledge or experience related to the property or nearby properties? Example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have special knowledge of the chemicals and processes used by this type of property/business?

No specialized knowledge.

4. Relationship of Purchase Price (40 CFR 312.29)

Does the purchase price for this property reasonably reflect the fair market value? If there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?

No price adjustments due to environmental condition.

5. Commonly Known or Reasonably Ascertainable Information (40 CFR 312.30)

Are you aware of information about the property that would help to identify conditions indicative of releases/spills or threatened releases/spills?

For example,

- (i) Do you know the past uses of the property?
- (ii) Do you know of specific chemicals that are present or were present at the property?
- (iii) Do you know of spills or other chemical releases that have taken place at the property?
- (iv) Do you know of any environmental cleanups that have taken place at the property?

(i) Grazing, (ii) No chemical use, (iii) No spills, and (iv) No environmental cleanups.

6. Presence or Likely Presence of Contamination (40 CFR 312.31)

Based on your knowledge and experience related to the property, are there any obvious indicators that point to the presence or likely presence of releases/spills at the property?

Property is clean. There are no obvious indicators of releases or spills on the property.

Appendix B

Site Photographs



Figure 5. Gibson Tank (Looking West)



Figure 6. Gibson Tank (Looking Southwest)



Figure 7. Gibson Tank



Figure 8. Gibson Tank (Looking Northwest)

Gibson Tank

Legend

- Arizona Game and Fish Department Headquarters
- Feature 1
- Gibson Tank
- Linde Gas & Equipment TSMC Project
- TSMC, Feb 21

Gibson Tank

Linde Gas & Equipment TSMC Project

TSMC, Feb 21

Arizona State Rte 303

Google Earth

1 mi



Appendix C

FEMA Floodplain Map

