



# County of Santa Cruz

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## HEALTH SERVICES AGENCY

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### ENVIRONMENTAL HEALTH

September 16, 2021

California Sunshine Development, LLC  
c/o Ms. Lisa Li and Mr. John Frey  
444 Airport Boulevard  
Watsonville, California 95076  
EMAIL: [casunshinerc@gmail.com](mailto:casunshinerc@gmail.com)  
EMAIL: [john@cdmre.com](mailto:john@cdmre.com)

**SUBJECT:** *Response to Updated Remedial Action Plan, Former Clusters Storage Yard (Proposed Hillcrest Project), 511 Ohlone Parkway, Watsonville, California*

Dear Ms. Li and Mr. Frey:

The County of Santa Cruz Environmental Health Division (CSCEHD) has reviewed the following document for the subject site: (1) *Updated Remedial Action Plan* (Updated RAP, dated January 12, 2021, by Weber, Hayes & Associates [WHA]). Thank you for the submittal. This Updated RAP was modified from the *Revised Remedial Action Plan (rev. 2)* (RRAP, dated June 15, 2018, by WHA), which was approved with conditions by our agency's letter dated June 20, 2018, with further modification approvals by electronic correspondences (emails) dated December 18, 2018, and July 15 and 16, 2019. Additionally, as part of our review of the Updated RAP our agency conducted a 30-day public notification process, which ended on July 25, 2021.

The Updated RAP documents the magnitude and extent of impacted soils at the subject site and proposes to implement Remedial Action Alternative 3: "Burial Envelope with Soil Cap." This alternative consists of excavating impacted shallow soils (less than two feet below grade) and deeper areas with known chemical concentrations exceeding applicable environmental screening levels (ESLs), off-hauling hazardous chemical soil concentrations to an appropriate disposal facility, and burying non-hazardous chemical soil concentrations in a 35-foot-deep capped envelope on-site. The Updated RAP proposes the upper 16-feet of the capped envelope include a retaining wall along its northern edge. Following remedial excavations, the Updated RAP proposes where necessary to collect base and sidewall confirmation soil samples for confirmation laboratory testing in accordance with CSCEHD standards, soil stockpile management, landfill acceptance profiling and disposal documentation, and summary reporting. The Updated RAP indicates the implementation of Remedial Action Alternative 3 follows state guidance for the remedial technologies of metals in soil (DTSC, 2008).

Based on our review, the currently submitted document does not include the required data and documentation required under the DTSC, 2008 guidance:

- The Updated RAP does not include an adequate design plan. In accordance with DTSC, 2008, sufficient data should be collected to support the engineering design of the selected remedial action. Technical plans for implementing the selected cleanup alternative should be prepared

and submitted to the regulatory agency, either in the remedy selection document or provided as a stand-alone document. Technical plans should contain the specific engineering design details of the proposed cleanup approach, including designs for any long-term structures (e.g., retaining walls as part of the design feature of a remedial cap). As applicable, the design plans should include the design criteria, process diagrams, and final plans.

- The Updated RAP does not provide adequate information on the long-term stewardship of the selected cleanup alternative, which is necessary when long-term management of contaminated environmental media is proposed (e.g., caps) to ensure that human health and the environment is protected over time. As discussed in DTSC, 2008, long-term stewardship information includes, but is not limited to, the following: (1) drafts of institutional controls (ICs) such as Land Use Covenants (LUCs); (2) financial assurance descriptions to assure that sufficient monies are available to implement any required corrective action activities and on-going operation and maintenance (O&M) activities; and (3) a regulatory oversight agreement for a contingency plan if a future immediate response action is required and the ongoing periodic review of integrity assessments and O&M activities associated with the implemented remedial action, including inspections, repairs and maintenance, reporting, recordkeeping, and notifications.

Therefore, our agency rejects the Updated RAP, dated January 12, 2021. You are required to take the following actions:

- Submit a modified draft RAP that includes all the engineering technical design plans and long-term stewardship requirements in accordance with DTSC, 2008 guidance. The draft RAP must be submitted to our agency and the City of Watsonville agency with authority to review technical engineering building permit applications.

**OR**

- Implement the RRAP approved by our agency in June 2018 and subsequent correspondences through the 2019 calendar year.

You are responsible for indicating to our agency your path forward with your remedial action case by **November 15, 2021**. You are responsible for providing a progress schedule for implementing the RRAP or for submitting the modified draft RAP to our agency and the City of Watsonville agency with authority to review technical engineering building permit applications by **December 15, 2021**. Document copies for our agency should be submitted electronically directly to my email ([John.Gerbrandt@santacruzcounty.us](mailto:John.Gerbrandt@santacruzcounty.us)). If the report is greater than 150 mb, please contact me for alternative submittal options. If you have any comments or questions regarding this letter, you may contact me at the above email address or at (831) 454-2731.

Sincerely,



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References:

California Department of Toxic Substances Control (DTSC). 2008. *Proven Technologies and Remedies Guidance, Remediation of Metals in Soil*, August 29, 2008, 420 p.  
<https://dtsc.ca.gov/proven-technologies-remedies-documents/>