
Central Coast Regional Water Quality Control Board

October 27, 2020

Santa Cruz County
Redevelopment Successor Agency
c/o Kimberly Finley
Santa Cruz County Department of Public Works
701 Ocean Street, Room 410
Santa Cruz, CA 95060
Email: kimberly.finley@santacruzcounty.us

Sent via Electronic Mail Only

Dear Ms. Finley:

**SITE CLEANUP PROGRAM: DEVELOPMENT AT 1412, 1438, 1500, AND 1544
CAPITOLA ROAD, ASSESSOR'S PARCEL NUMBERS 026-741-12 THROUGH 026-
741-15, SANTA CRUZ, SANTA CRUZ COUNTY– CONCURRENCE WITH SCOPE OF
WORK WITH CONDITIONS FOR PROPOSED VAPOR INTRUSION MITIGATION
SYSTEMS**

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) received and reviewed the Vapor Intrusion Mitigation System Operating, Monitoring, and Maintenance Plan (VIMS Plan)¹ dated September 28, 2020, prepared by GeoKinetics Geotechnical & Environmental Engineers (GeoKinetics) for Weber, Hayes & Associates (WHA), on behalf of the Santa Cruz County Redevelopment Successor Agency (County). The VIMS Plan is required to mitigate potential risk to indoor air from potential intrusion of volatile organic compounds (VOCs) from soil vapor². This includes mitigation of potential risk/vapors for the future medical and residential structures planned for the subject Development at Capitola Road project (Development), referenced in the VIMS Plan as the “Santa Cruz Community Health Centers and Live Oak Apartments.”^{3, 4} The VOCs are from an offsite source most likely related to the

¹ The VIMS Plan is available for review at: <https://geotracker.waterboards.ca.gov/?surl=0ciw0>

² Risk mitigation is required pursuant to the California Water Code, Division 7, commencing with §13000, and the California Health and Safety Code, Division 20, Chapter 6.8 commencing with §25300.

³ All documents are available for review on the [State Water Resources Control Board's GeoTracker website](http://geotracker.waterboards.ca.gov/?gid=T10000014098) <http://geotracker.waterboards.ca.gov/?gid=T10000014098>.

⁴ Risk mitigation is required pursuant to the California Water Code, Division 7, commencing with §13000, and the California Health and Safety Code, Division 20, Chapter 6.8 commencing with §25300.

former Fairway Dry Cleaning and Laundry cleanup site located adjacent to the boundary of the easternmost parcel comprising the Development properties.⁵

The Santa Cruz County Environmental Health Department (SCEHD) and Central Coast Water Board provided comments to the initial VIMS Plan submitted April 2020.

Afterwards, the Central Coast Water Board became the lead agency on behalf of the SCEHD for the continued oversight of response to comments for later revisions of the VIMS Plan.⁶

In responses to comments, WHA coordinated revisions to the VIMS Plan with GeoKinetics and Central Coast Water Board from April 2020 through September 2020 as part of the overall planning and timing aspects of the Development project. The revisions reflect clarifications and changes to the VIMS Plan scope of work including switching from passive to active ventilation systems, and corresponding changes to the proposed operation, maintenance, monitoring, and reporting requirements. With these revisions, in September 2020, WHA requested that Central Coast Water Board staff provide initial approval for VIMS Plan on behalf of the County and other interested parties involved with the Development. This request was for the County to allow for proceeding with certain procedural aspects of the project related to funding. In response the same month, Central Coast Water Board staff provided preliminary concurrence with the scope of work and identified conditions and questions that were likely to follow as part of the formal approval process.⁷ In late September, GeoKinetics provided initial responses to address Central Coast Water Board staff's questions regarding design and construction aspects of the VIMS Plan.

To complete the formal process as part of the above detailed culmination of efforts, the Central Coast Water Board concurs with the VIMS Plan scope of work with the following remaining conditions:

1. Establish environmental land use covenants (LUCs). **LUCs must be fully executed for affected and potentially affected parcels prior to building occupancies.** Central Coast Water Board staff provided WHA with draft template LUCs on behalf of the County and other interested parties, followed up by discussions of applicability for proceeding with the Development project.
2. Provide further detailed specifications for the gravel being used. Follow up information is required for the gravel proposed for the sub-slab ventilation

⁵ [See Central Coast Water Board's October 8, 2020 letter](#) located on GeoTracker under the "Site Maps / Documents" tab
(https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000014098)

⁶ SCEHD staff were reassigned to emergency response efforts for the 2020 CZU Complex Fire in Santa Cruz County.

⁷ [Email with preliminary concurrence of VIMS Plan scope of work and draft conditions, dated September 29, 2020](#) located on GeoTracker under the "Site Maps / Documents" tab
(https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000014098)

depressurization systems prior to construction. Specifications are needed for gravel texture and installation methods to prevent puncturing the barrier along with details for how vapor barrier liner integrity will be preserved and maintained for protectiveness during and after construction.

LEGAL REQUIREMENTS

Responses to the above conditions are necessary to the Central Coast Water Board's and SCEHD's oversight responsibilities to ensure protectiveness through mitigation of potential risk to indoor air from potential intrusion of VOCs from soil vapor, as detailed herein. To comply, please provide a **schedule by January 15, 2021** that includes:

1. Submittal of completed LUCs for all parcels comprising the Development at least **90 days prior to building occupancies**; and
2. Submittal of gravel layer information **90 days prior to construction**.

Failure to comply with these requirements may subject the discharger to enforcement action by the Central Coast Water Board, including issuance of an order under Water Code Sections 13267 and/or 13304, and potential administrative civil liabilities. If you have any questions, please contact **Dan Niles at (805) 549-3355 or by email at dan.niles@waterboards.ca.gov**, or Sheila Soderberg at (805) 549-3592.

Sincerely,

Sheila Soderberg

for Matthew T. Keeling
Executive Officer

cc:

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BizFlow# M30000, SCP-Reg 3 Site Specific, Development at Capitola Road, CR#
2030160 GeoTracker# T10000014098

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