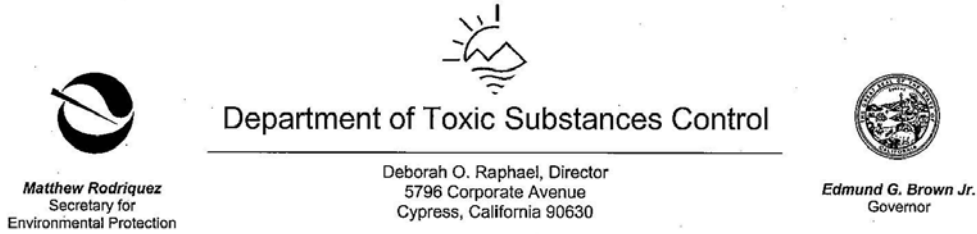


Comment Letter No. 4



Matthew Rodriguez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

January 17, 2012

Ms. Mitra Mehta-Cooper
Riverside County Planning Department
4080 Lemon Street 12th Floor
P.O. Box 1409
Riverside, California 92502

DRAFT ENVIRONMENTAL IMPACT STATEMENT /ENVIRONMENTAL IMPACT
REPORT FOR TEMECULA VALLEY WINE COUNTRY COMMUNITY PLAN

Dear Ms. Mehta-Cooper:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of the Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "Riverside County has developed a Southwest Area Plan (SWAP) as an extension of the General Plan Amendment No. 1077 and Zoning Ordinance Amendment No. 348.4729, which establishes policies for development and conservation within the entire unincorporated County. The purpose of this SWAP is to address the specific requirements of land uses in the Southwest region of the county with regard to long-term planning. Within the SWAP are policy areas, which take into account locales which have a special significance to residences in that part of the county. More specifically, the Temecula Valley Wine Country Policy Area of the SWAP seeks to address land uses specific to the region including wineries, equestrian, residential and other tourism related uses. Specific land use policies are contained in the Temecula Valley Wine Country Policy Area and are established to protect against land uses which are incompatible with existing uses and to allow for growth. Specific policies contained within the Policy Area address different topics including transportation, land use, population and employment, air quality and greenhouse gas emissions. "

} 4.1

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

} 4.2

Ms. Mitra Mehta-Cooper
January 17, 2012
Page 2

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC’s website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.
- 4.2
cont
- 4.3
- 4.4

Ms. Mitra Mehta-Cooper
January 17, 2012
Page 3

- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies. } 4.5
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination. } 4.6
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment. } 4.7
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA. } 4.8
- 8) Hazardous substances would be present on the Project site during construction (e.g., fuels and lubricants, wastes from demolition and remediation, paints and solvents). If released, these substances could pose risks to human health and the environment. For example, demolition wastes containing volatile or fluid hazardous wastes, such as PCB-containing oils or residual fuels from abandoned storage tanks, should be contained and packaged in accordance with regulatory requirements and regularly transported to appropriate disposal facilities. } 4.9
- 9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional } 4.10

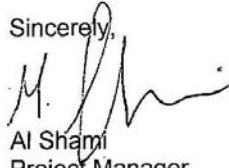
Ms. Mitra Mehta-Cooper
January 17, 2012
Page 4

information on the EOA or VCA, please see
www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-
Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

} 4.10
cont

If you have any questions regarding this letter, please contact me at
ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,



Al Shami
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
nritter@dtsc.ca.gov

CEQA # 3428

Response No. 4

**Department of Toxic Substances Control
Al Shami, Project Manager
Brownsfields and Environmental Restoration Program**

- 4.1 This comment simply restates the Draft PEIR Project Description. Responses to specific comments in this letter are provided below.
- 4.2 The authors of the Draft PEIR utilized the Envirostor database, which identified one hazardous material site within the Project area (Temecula Bomb Target #107). The sites cleanup status indicated on the Envirostor web site states that the site is active as of February 15, 2007 and can be viewed via the following link: http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=80001161
No other hazardous materials sites are known to exist within the Project area. Formal Phase I Environmental Site Assessments may be prepared as part of future site-specific development proposals as defined in the Mitigation Measure HAZ-2.
- 4.3 This issue is addressed in the Draft PEIR. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to *environmental* comments.)) The Project, through its implementing projects, will comply with federal regulations such as the Comprehensive Environmental Response, Compensation, and Liability Act, Resource Conservation and Recovery Act, and the Hazardous Materials Transportation Act. State regulations that the Project, through its implementing projects, is required to comply with include California Health and Safety Code Chapter 6.95 Section 25500 - 25532, California Hazardous Waste Control Law, and California Code of Regulations Titles 22 and 26. County regulations, that the implementing projects will be required to comply with, include compliance with the Underground Storage Tank Clean Up Program, Ordinance No. 615 (Establishments where hazardous waste is generated, stored, handled, disposed, treated, or recycled), Ordinance No. 651 (Disclosure of Hazardous Materials and the Formulation of Business Emergency Plans), Ordinance No. 718 (Generation, Storage and Transportation of Medical Waste), and Ordinance No. 348 (Land Use) Section 18.44 (Hazardous Waste Facility Siting Permit). These regulations identify mechanisms to initiate required investigation and/or remediation for any implementing project site that may be contaminated. A summary of applicable existing regulations and policies regarding hazardous materials and more details

regarding Project hazardous materials compliance is documented in Draft PEIR Section 4.8, *Hazards and Hazardous Materials* and Mitigation Measures HAZ 1-4.

- 4.4 This issue is addressed in the Draft PEIR. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to environmental comments.)) Refer to comment Responses 4.2 and 4.3 above. The EIR is a program level document and any environmental investigations will be conducted on a project by project basis within the Project area. When development within the Project area is proposed, the Workplan, investigations, Phase I or II Environmental Site Assessment, sampling results, and all closure, certification or remediation approval reports by regulatory agencies will be prepared.
- 4.5 This issue is addressed in the Draft PEIR. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to environmental comments.)) The Project does not propose to demolish any structures at this time. Any future demolition of structures for implementing projects will be required to be in compliance with California environmental regulations and policies. Also, refer to Response 4.3 above.
- 4.6 This issue is addressed in the Draft PEIR. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to environmental comments.)) The Project does not propose any soil excavation or filling at this time. Any future soil excavation or filling for implementing projects will require compliance with California environmental regulation and policies. Also, refer to Response 4.3 above.
- 4.7 This issue is addressed in the Draft PEIR. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to environmental comments.)) The Project does not propose construction or demolition activities at this time. Any future construction or demolition activities for implementing projects will be required to comply with all federal, State, and local environmental regulations and policies. Refer to Response 4.3 above.
- 4.8 This issue is addressed in the Draft PEIR. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no

further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to *environmental* comments.)) Refer to Response 4.3 above. The comment states that if hazardous wastes are, or will be, generated by the proposed Project, wastes must be managed in accordance with the California Hazardous Waste Control Law and Hazardous Waste Control Regulations. As identified in Section 4.8.3 of the Draft PEIR, to ensure safe handling, storage, use, and transport of hazardous materials associated with wastewater treatment, the facility would comply with Standard Guidelines adopted by the federal Occupational Safety and Health Administration (Hazardous Waste Operations and Emergency Response Standard, Title 29 Code of Federal Regulations (CFR) Part 1910.120), as well as the California Department of Toxic Substances Control (DTSC). In addition, operational transportation, storage, use, and disposal of hazardous materials and wastes would comply with all regulations, guidelines, and standards contained within the County’s Hazardous Waste Management Plan and applicable permitting procedures required by all federal, State, and local agencies associated with hazardous materials.

4.9 This issue is addressed in the Draft PEIR. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to *environmental* comments.)) Any implementing project within the Project area could potentially have hazardous substances on site discovered during construction or demolition activities. These hazardous substances would be contained and packaged in accordance with regulatory requirements and transported to appropriate disposal facilities. Refer to Response 4.3 above.

4.10 Refer to Response 4.3 above. No specific comments regarding Draft PEIR adequacy are provided or environmental issues are raised. Therefore, no further response is required. (State CEQA Guidelines § 15088(a) (CEQA requires that a lead agency respond to *environmental* comments.)) It is understood that the Department of Toxic Substance Control (DTSC) can provide cleanup oversight through an Environmental Oversight Agreement, or a Voluntary Cleanup Agreement. This information will be referenced by the County and decision-makers as part of future implementing actions, if and when appropriate.