

SOIL MANAGEMENT PLAN

**PERRY'S CAFE
VIEWPOINT OLD TOWN
4610 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA**

**Submitted by:
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**For:
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December 9, 2022

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ACRONYMS AND ABBREVIATIONS

Apex	Apex Companies, LLC
bgs	below ground surface
BMP	best management practice
CCR	California Code of Regulations
DRO	diesel-range organics
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
Farallon	Farallon Consulting, L.L.C.
GRO	gasoline-range organics
HASP	Health and Safety Plan
mg/kg	milligrams per kilogram
mg/l	milligrams per liter
µg/kg	micrograms per kilogram
µg/l	micrograms per liter
NFA	no further action
NOI	Notice of Intent
ORO	oil-range organics
OCPs	organochlorine pesticides
PCBs	polychlorinated biphenyls
RCRA	Resource Conservation and Recovery Act
SAM	Site Assessment and Mitigation
SCS	SCS Engineers
SDDEH	County of San Diego Department of Environmental Health and Quality
SDRWQCB	San Diego Regional Water Quality Control Board
SMP	Soil Management Plan
SPAWAR site	SPAWAR Old Town Complex
SPLP	Synthetic Precipitation Leachate Procedure
STLC	Soluble Threshold Limit Concentration



SVOCs	semivolatile organic compounds
SWPPP	Stormwater Pollution Prevention Plan
TPH	total petroleum hydrocarbons
UST	underground storage tank
VOCs	volatile organic compounds
Waiver	San Diego Regional Water Quality Control Board Conditional Waiver for Waste Discharge Requirements for Low-Threat Discharges in the San Diego Region Order R9-2019-0005, Waiver No. 9



1.0 INTRODUCTION

Farallon Consulting L.L.C. (Farallon) has prepared this Soil Management Plan (SMP) for implementation during the redevelopment of the property at 4610 Pacific Highway, San Diego California (the Site, Figure 1). The Site consists of three parcels of land (San Diego County Assessor's Parcel Numbers 442-740-07, 442-740-06, and 442-740-03) and developed with a single-story structure surrounded by an asphalt-paved parking lot (Figure 2). The structure is occupied by Perry's Café.

Farallon understands that the current proposed redevelopment of the Site includes seven stories of multifamily housing, retail and work lofts at grade with one partial subterranean level for parking, a lobby, and other amenities underlying the central-northern portion of the Site.

The purpose of the SMP is to provide guidance for the management of soil during construction based on the information collected to date from prior environmental investigations. Common contaminants resulting from historical use of the Site limit the unrestricted off-Site reuse of soil. Soil exported off of the Site or reused on the Site must be managed according to its character based on regulations implemented by the San Diego Regional Water Quality Control Board, (SDRWQCB).

This SMP has been prepared at the direction of the County of San Diego Department of Environmental Health and Quality (SDDEH) Voluntary Assistance Program (Case # DEH2022-LSAM-000712) in general accordance with the SDDEH Site Assessment and Mitigation (SAM) Manual (SDDEH 2004).



2.0 PREVIOUS SITE ASSESSMENTS

2.1 PHASE I AND PHASE II ENVIRONMENTAL SITE ASSESSMENTS

Apex Companies, LLC (Apex) Apex previously conducted a Phase I Environmental Site Assessment (ESA) of the Site in April 2021, and identified several recognized environmental conditions.

A former gas station on the Site, addressed at 4606 Pacific Highway, was closed in 1988 and on May 26, 1988, four underground storage tanks (USTs) were removed from the Site. Apex considered the former gasoline station to be a recognized environmental condition. Two of the tanks were 5,000-gallon gasoline tanks, the third tank was an 8,000-gallon gasoline tank, and the final tank was a 500-gallon waste oil tank. During removal activities, the waste oil tank was observed to be damaged with visible holes. Additionally, groundwater with a slight sheen and gasoline odor was observed during removal activities. The release was reported to SDDEH and the Site was enrolled in a leaking underground storage tank (LUST) LUST cleanup case #H12810-001.

An estimated 100 yards of gasoline-contaminated soil was excavated, sampled, and analyzed and found to contain total petroleum hydrocarbons (TPH) at concentrations less than 100 milligrams per kilogram (mg/kg). This soil was then used to backfill the tank excavations.

Four monitoring wells were installed at the Site in 1989, and groundwater samples were collected quarterly through 1991. Benzene was detected in groundwater at concentrations up to 9,200 micrograms per liter ($\mu\text{g/l}$) in monitoring well MW-1, which was located south and down-gradient of the former USTs. The reported depth to groundwater in January 1991 ranged between 8.05 and 9.34 feet below the tops of the well casings. The direction of groundwater flow as reported July 1989, August 1990, and January 1991 ranged between south and southeast. The former gasoline station was issued a no further action (NFA) letter on May 11, 1992.

The Site is situated in the Old Town area of San Diego, the location of the first settlements in the City of San Diego beginning in the early part of the 19th century. Early urban developments did not have municipal refuse collection services until sometime in the early to mid-20th century and commonly relied on burning refuse in open lots or in designated areas on the outskirts of the settled areas. Because the resulting ash from burning most often contains regulated metals (usually lead) at hazardous concentrations, Apex considered the age, location, and past use of the Site to be a recognized environmental condition.

The SPAWAR Old Town Complex (SPAWAR site) operated by the United States Navy to the east across Pacific Highway is actively enrolled in a Voluntary Cleanup program under the regulatory purview of the California Department of Toxic Substances Control. Although the data did not indicate that contaminants from the SPAWAR site were migrating onto the Site, there is a (low) potential that unidentified pathways may exist allowing unidentified concentrations of contaminants to migrate toward the Site. Apex considered the SPAWAR site to be a recognized environmental condition.



Apex conducted a limited Phase II ESA at the Site in May 2022 to focus on soil management considerations for the proposed redevelopment with respect to the former gasoline station. The limited Phase II ESA consisted of drilling 14 soil borings to depths from 3 to 10 feet below ground surface (bgs), and one boring to a depth of 15 feet bgs, collecting soil samples for laboratory analysis, and collecting one groundwater sample from boring B-10, the 15-foot boring.

Soil samples collected at 1 and 3 feet bgs were analyzed for volatile organic compounds (VOCs) by U.S. Environmental Protection Agency (EPA) Methods 5035 and 8260B, TPH by EPA Methods 5035 and 8015B, Title 22 metals by EPA Methods 6010B and 7471A, and for hexavalent chromium by EPA Method 7199.

A total of 10 soil samples collected from 1 foot bgs were analyzed for organochlorine pesticides (OCPs) by EPA Method 8081A, polychlorinated biphenyls (PCBs) by EPA Method 8082, and semivolatile organic compounds (SVOCs) including polycyclic aromatic hydrocarbons by EPA Method 8270.

Additional soil samples were collected between 5 and 10 feet bgs in borings B8 through B12 and were analyzed for TPH, VOCs, and Title 22 Metals.

Additional analysis was performed on five soil samples that exhibited a total lead concentration 10 or more times greater than the Soluble Threshold Limit Concentrations (STLC) for lead of 5 milligrams per liter (mg/l).

TPH as gasoline-range organics (GRO) were not detected at or exceeding the laboratory reporting limit in the 37 soil samples.

TPH as diesel-range organics (DRO) was detected at a concentration of 390 mg/kg in soil sample B2-3. None of the other 36 soil samples exhibited concentrations of DRO at or exceeding the reporting limit. Sample B2-3 was subjected to the Synthetic Precipitation Leachate Procedure (SPLP). DRO was detected at a concentration of 0.28 mg/l in the leachate.

TPH as oil-range organics (ORO) was detected in eight of the 37 soil samples. The ORO concentrations in seven of the eight samples ranged from 13 to 130 mg/kg. ORO was detected at a concentration of 1,300 mg/kg in one sample. These eight soil samples were subjected to SPLP testing. Leachate DRO was detected at concentrations ranging from 0.12 to 0.29 mg/l in all eight samples. However, leachable ORO was not detected at a concentration exceeding the laboratory reporting limit.

VOCs were not detected at or exceeding the laboratory reporting limit in any of the samples analyzed except benzene, which was detected at a concentration of 4.7 micrograms per kilogram ($\mu\text{g}/\text{kg}$) in sample B2-3, and methylene chloride, which was detected at a concentration of 16 $\mu\text{g}/\text{kg}$ in sample B9-1. Methylene chloride is a common laboratory contaminant and is not considered to be representative of concentrations in the soil sample. Samples B2-3 and B9-1 were subject to SPLP testing. VOCs were not detected at concentrations exceeding the laboratory reporting limits in the leachate samples.



SVOCs were not detected at or exceeding the laboratory reporting limit in any of the 37 samples analyzed.

Title 22 metals were reported at concentrations consistent with background concentrations except for lead and arsenic.

Lead was detected at concentrations ranging from 1.1 to 64 mg/kg, with lead detected at a concentration greater than 50 mg/kg in five samples. These five samples were analyzed using the Waste Extraction Test procedure for solubility. Leachable lead concentrations ranged from 5.0 to 7.0 mg/l in three of the five samples, which equal or exceed the STLC for lead and soil represented by these samples would be considered a hazardous waste in California if excavated and exported off of the Site.

The residential screening level for arsenic in soil is 0.11 mg/kg; however, the regional background concentration for arsenic is 12 mg/kg. Arsenic was detected at a concentration exceeding 12 mg/kg in two of the 22 soil samples analyzed: 22 mg/kg in sample B2-1 and 39 mg/kg in sample B4-1.

Apex analyzed 12 soil samples collected at 1 foot bgs across the Site for OCPs. DDE, DDT, alpha-Chlordane, Chlordane, Endosulfan, or gamma Chlordane were detected in samples B9-1, B10-1, and B15-1. These three samples were subject to SPLP testing. Leachable concentrations of OCPs were not detected in the three samples.

Apex analyzed 12 soil samples collected at one foot across the Site for PCBs. Aroclor 1260 was detected at a concentration of 17 µg/kg in sample B3-1. PCBs were not detected at concentrations exceeding the laboratory reporting limits in any other samples. Sample B3-1 was subjected to SPLP testing. PCBs were not detected at or exceeding the laboratory reporting limit of 0.74 µg/l in sample B3-1.

SCS Engineers (SCS) conducted additional assessment activities in September 2022 and collected soil samples at the Site to further delineate the soils that are proposed to be graded and likely exported from the Site as part of the grading activities. Soil samples were collected and analyzed for Title 22 metals, TPH, and OCPs.

In addition, SCS conducted a survey using ground penetrating radar and electromagnetic methods in the area surrounding the former gasoline station and installed soil vapor probes to collect soil vapor samples at seven locations at the Site. SCS did not find evidence of USTs or other buried objects or structures from the former gasoline station.

SCS conducted a vapor intrusion risk screening based on the reported detection of 16 VOCs, including petroleum hydrocarbons. Based on the SCS evaluation of the data using the most recent slab attenuation factors from the California Department of Toxic Substance Control, none of the vapor concentrations detected exceeded indoor air screening levels.



Soil samples collected from “step-out” borings around borings B3-1, B4-3, and B9-1 did not exhibit potentially hazardous lead concentrations, and confirmed that the extent of potentially hazardous concentrations of lead in soil are delineated by the SCS borings.

The additional soil sample analyses by SCS for TPH and OCPs confirmed the lateral and vertical extent of the analyzed constituents than was previously reported by Apex.

The soil sample data collected by Apex and SCS is contained in Appendix A.



3.0 SOIL MANAGEMENT PLAN

Regulated constituents of concern have been identified in soil at the Site through previous investigations of the Site as a former unauthorized release case and because of its prior history of settlement and limited agriculture use. The regulated constituents of concern limit the unrestricted reuse of soil exported off-Site as discussed in this section.

Export and off-site reuse of soil exported from a “known contaminated site” in San Diego County is regulated by SDRWQCB. Requirements and procedures are discussed in this section.

3.1 SITE-SPECIFIC HEALTH AND SAFETY

Prior to initiating any earthwork at the Site, a Site-specific Health and Safety Plan (HASP) will be prepared by the Contractor for the proposed work and will be reviewed by all workers prior to initiating any intrusive work that may be performed at the Site. The HASP should incorporate the requirements specified by the California Division of Occupational Safety and Health Hazardous Waste Operations Standards (Title 29 Code of Federal Regulations, Section 1910.120) and California Code of Regulations (Title 8 CCR, Section 5192). The HASP should also outline the anticipated physical and chemical hazards that may be encountered at the Site.

The Contractor will be responsible for ensuring that appropriately trained personnel are on-Site and available to actively monitor soil that will be exposed during the construction activities and implement all of the recommendations of the HASP. The Contractor will hold daily safety meetings to discuss potential hazards at the beginning of each workday, when new personnel are introduced to the project, and when new Site conditions warrant such meetings. These meetings will, at a minimum, include identification and discussion of potential workplace hazards and problems so that appropriate control measures can be implemented. Field activities will be performed in accordance with the safety protocols established in the HASP.

3.2 COMMUNITY HEALTH AND SAFETY

The area surrounding the Site is a busy urban environment. Traffic and associated Site access will need to be controlled. It is anticipated that the Site will be fenced, and access will be limited to authorized personnel only.

The Contractor will comply with the San Diego Air Pollution Control District Rule 55 for dust control which requires that there be no discharges of visible dust emissions in the atmosphere beyond the property line of a construction site for a period aggregating more than 3 minutes in any 60-minute period.

3.3 STORMWATER CONTROL

A required Stormwater Pollution Prevention Plan (SWPPP) will be required and prepared for the Site-specific grading and development activities. Stormwater control measures will be



implemented and maintained by the Contractor during the mitigation and subsequent stockpile maintenance program. Temporary stockpiling of soil is regulated and should be avoided whenever possible. Any soil stockpiles generated during the mitigation process will be stored on and covered with 6-mil plastic sheeting, which will be secured with sand or gravel bags. Any generated stockpiles will be maintained by the Contractor, unless the stockpiles are being added to or loaded for off-Site disposal.

In addition, appropriate best management practices (BMP) will be placed along the Site boundary including placing rock and track-out plates at the entrances, silt fences, fiber rolls, mats, gravels bags, and other BMPs specified by the SWPPP and required by the City of San Diego.

3.4 MANAGEMENT OF EXPORT SOIL

Farallon understands that the proposed redevelopment of the Site includes seven stories of multifamily housing, retail and work lofts at grade, with one partial subterranean level for parking, a lobby, and other amenities underlying the central-northern portion of the Site. As currently proposed, the Site is a net export site, with no soil planned for import. Alterations to the proposed development may reduce the volume of soil to be exported.

Export and off-Site reuse of soil exported from a “known contaminated site” in San Diego County is regulated by the SDRWQCB Conditional Waiver for Waste Discharge Requirements for Low-Threat Discharges in the San Diego Region Order R9-2019-0005, Waiver No. 9 (the “Waiver”) (Appendix B). The Waiver defines criteria for managing soil from a “known contaminated site.” The historical presence of the former gas station constitutes a “contaminated site” even though closure and an NFA was issued by the SDDEH in 1992.

3.4.1 Categories of Soil

There are three categories of soil to be exported from the Site:

1. Soil that is not contaminated as demonstrated by laboratory testing is not subject to the Waiver and may be reused off-Site. As allowed by the Waiver, a “known contaminated site” may contain soils characterized and determined by the discharger to be unimpacted by the release of waste. Soils that have not been impacted by the release of waste may be exported and are not subject to the Waiver.
- 2a. Soil that meets the criteria set forth in Tier 2 of the Wavier and is suitable for reuse off-Site at a commercial or industrial site. Reuse at a residential site is prohibited under Tier 2 of the Waiver.
- 2b. Soil that conditionally meets the criteria set forth in Tier 2 of the Wavier but an explanation and justification that reportable concentrations of contaminants other than metals present in leachate after SPLP analysis is an inert waste and will not affect water quality objectives must be approved by SDRWQCB before being declared suitable for reuse off-Site at a commercial site. If this explanation and justification is not accepted by



the SDRWQCB, then soil in this category would have to be disposed of off-Site at a Class III landfill as a nonhazardous waste.

3. Soil that is contaminated and not suitable for reuse off-Site under the Waiver. This soil must be disposed of at a Class III landfill (nonhazardous) or at a landfill outside of California that can accept non-Resource Conservation and Recovery Act (RCRA) California hazardous waste. Additional profiling may be necessary to distinguish designated waste soil from soil classified as a hazardous waste in California.

Soil samples collected from borings B3-1, B4-3, and B9-1 exhibited soluble lead concentrations of 5.0 mg/l or greater, and the soil represented would be considered a California non-RCRA hazardous waste if excavated.

3.4.2 Notice of Intent Under Waiver No. 9

Prior to beginning earthwork, the site owner must file a Notice of Intent (NOI) with SDRWQCB to export soil in Category 2 above under Tier 2 of the Waiver (Appendix C). For soil in Category 2b, the NOI must contain full justification and explanation as to why soil with detectable concentrations of organic constituents that were evaluated using the SPLP qualify as inert waste under CCR title 27, section 20230. Soil that is not acceptable for reuse under Tier 2 of the Waiver will require disposal at a Class III landfill.

The export site owner, principal executive officer, or authorized representative, and a California licensed professional engineer or geologist must sign and certify the Inert Waste Certification.

The Waiver requires that a minimum number of soil samples be collected and analyzed for CCR Title 22 Metals for a prescribed volume of soil for use in the statistical evaluation of the constituents in soil for compliance under the Waiver. Depending on how categories of soil are distributed and the volumes of soil destined for a particular export site, it is possible that additional sample analysis will be required to meet the minimum number of samples required per soil volume to adequately complete the NOI.

Temporary stockpiles of soil are considered to be waste soil by SDRWQCB and require notification to SDRWQCB using Attachment C of the Waiver, Parts 1 and 2 (Appendix D).

3.4.3 Export and Disposal of Soil Not Eligible for Reuse Under Waiver No. 9

Soil that is contaminated and does not qualify as inert waste under the Waiver may not be exported for reuse off-Site and must be disposed of at a Class III landfill.

Contaminated soil in the project area determined to be a regulated waste or a California (non-RCRA) hazardous waste must be disposed off-Site at the following permitted receiving facility or other similarly permitted facilities:



Nonhazardous Waste:

Otay or Sycamore Landfills
Republic Services
1700 Maxwell Road
Chula Vista, California 91911
<https://www.republicservices.com/businesses/environmental-services>

Contaminated soil in the project area determined to be a California (non-RCRA) Hazardous Waste must be disposed offsite at one of the following permitted receiving facilities (or other similarly permitted facilities).

California Hazardous Waste:

Copper Mountain Landfill
Republic Services
34853 East County 12th Street
Wellton, Arizona 85356
<https://www.republicservices.com/businesses/environmental-services>

South Yuma County Landfill
19536 South Avenue 1 E,
Yuma, Arizona 85365
<http://www.southyumacountylandfill.com/home.php>

The Contractor will provide the name, address, telephone number, and contact person for alternative proposed off-Site recycling, treatment, or disposal facility for review by the Owner as applicable. This submittal is considered a prescreening of the Contractor-proposed receiving facilities or locations. Prior to transporting any impacted materials off of the Site to a treatment or disposal facility, the Contractor will obtain a statement from the facility indicating that the facility has reviewed the applicable laboratory data, profile forms, and soil or liquid waste disposal quantity information provided by the Contractor and can legally accept the material. This statement shall also include any contingencies upon which the acceptance is based. If additional testing is required, the facility shall indicate types, numbers, and locations of tests. The Owner will evaluate the request for any additional testing, determine the reasonableness of the request, and arrange for and conduct the additional testing as necessary. All impacted soils will be transported under appropriate waste manifest or bill of lading to a pre-approved treatment or disposal facility.

At the disposal facility, the waste manifest must be countersigned by representatives of the facility, and copies returned to the Site for delivery to the Owner's representative, as proof of final disposal.

All documentation, whether export for reuse or off-Site disposal, must be preserved for use in submitting the termination documentation to close out the export of soil under the Waiver.



4.0 CONTINGENCIES

Despite the level of investigation conducted at any site, previously unidentified or unknown conditions may be discovered during the planned earthwork for redevelopment of the Site. The most likely scenarios consist of the discovery of an undocumented and previously unidentified USTs or piping, or the discovery of obviously contaminated soil as evidenced by appearance or odor.

USTs are regulated in California under CCR Title 23. Undocumented USTs that are discovered during construction must not be disturbed until removed under permit from SDDEH. If USTs, undocumented contamination, or other potentially hazardous conditions are encountered that are not addressed in this SMP, the Contractor shall cease work and notify the Owner or Owner's representatives. The Contractor will then barricade or otherwise isolate the area and avoid all work in the area until authorized to do so by the Owner or Owner's representatives, who will determine the appropriate course of action to assess potential unknown conditions encountered during excavation.

Soil that is believed to be suitable for export for reuse off-Site under Category 2 in Section 3 but that exhibits visual evidence of contamination or that exhibits odors may not be reused off-Site under the Waiver and must be disposed of at a Class III landfill.

The Contractor shall not export any known or suspected contaminated soil without prior approval by the Owner or Owner's representatives.



5.0 REFERENCES

- Apex Companies, LLC (Apex). 2021. *Phase I Environmental Site Assessment, Perry's Café 4620 Pacific Highway, San Diego, CA 92110*. Prepared for Viewpoint Development. April 20.
- . 2022. Letter Report Regarding Limited Phase II ESA Report, 4609, 4610, and 4620 Pacific Hwy, San Diego, California. From Ronald J. Kofron. To Rosemary Cooper, Viewpoint Development. July 27.
- County of San Diego Department of Environmental Health and Quality (SDDEH). 2004. *Site Assessment and Mitigation Manual*.
- San Diego Regional Water Quality Control Board (SDRWQCB). 2019. Order R9-2019-005. Conditional Waiver No. 9. May 8.
- SCS Engineers. 2022. Draft *Subsurface Assessment Report, Viewpoint Old Town Project, Assessor's Parcel Numbers: 442-740-03-00, 442-740-06-00, 442-740-07-00, 4620 Pacific Highway, San Diego, California*. Prepared for Zephyr Acquisitions, LLC. October 13.



6.0 LIMITATIONS

6.1 GENERAL LIMITATIONS

The conclusions contained in this report/assessment are based on professional opinions with regard to the subject matter. These opinions have been arrived at in accordance with currently accepted hydrogeologic and engineering standards and practices applicable to this location. The conclusions contained herein are subject to the following inherent limitations:

- **Accuracy of Information.** Farallon obtained, reviewed, and evaluated certain information used in this report from sources that were believed to be reliable. Farallon's conclusions, opinions, and recommendations are based in part on such information. Farallon's services did not include verification of its accuracy or authenticity. Should the information upon which Farallon relied prove to be inaccurate or unreliable, Farallon reserves the right to amend or revise its conclusions, opinions, and/or recommendations.

For the foregoing reasons, Farallon cannot and does not warrant or guarantee that the Site is free of hazardous or potentially hazardous substances or conditions, or that latent or undiscovered conditions will not become evident in the future. Farallon's observations, findings, and opinions can be considered valid only as of the date of the report.

This plan has been prepared in accordance with the contract for services between Farallon and Viewpoint Development LLC, and currently accepted industry standards. No other warranties, representations, or certifications are made.

6.2 LIMITATION ON RELIANCE BY THIRD PARTIES

Reliance by third parties is prohibited. This report/assessment has been prepared for the exclusive use of Viewpoint Development LLC to address the unique needs of Viewpoint Development LLC at the Site at a specific point in time.

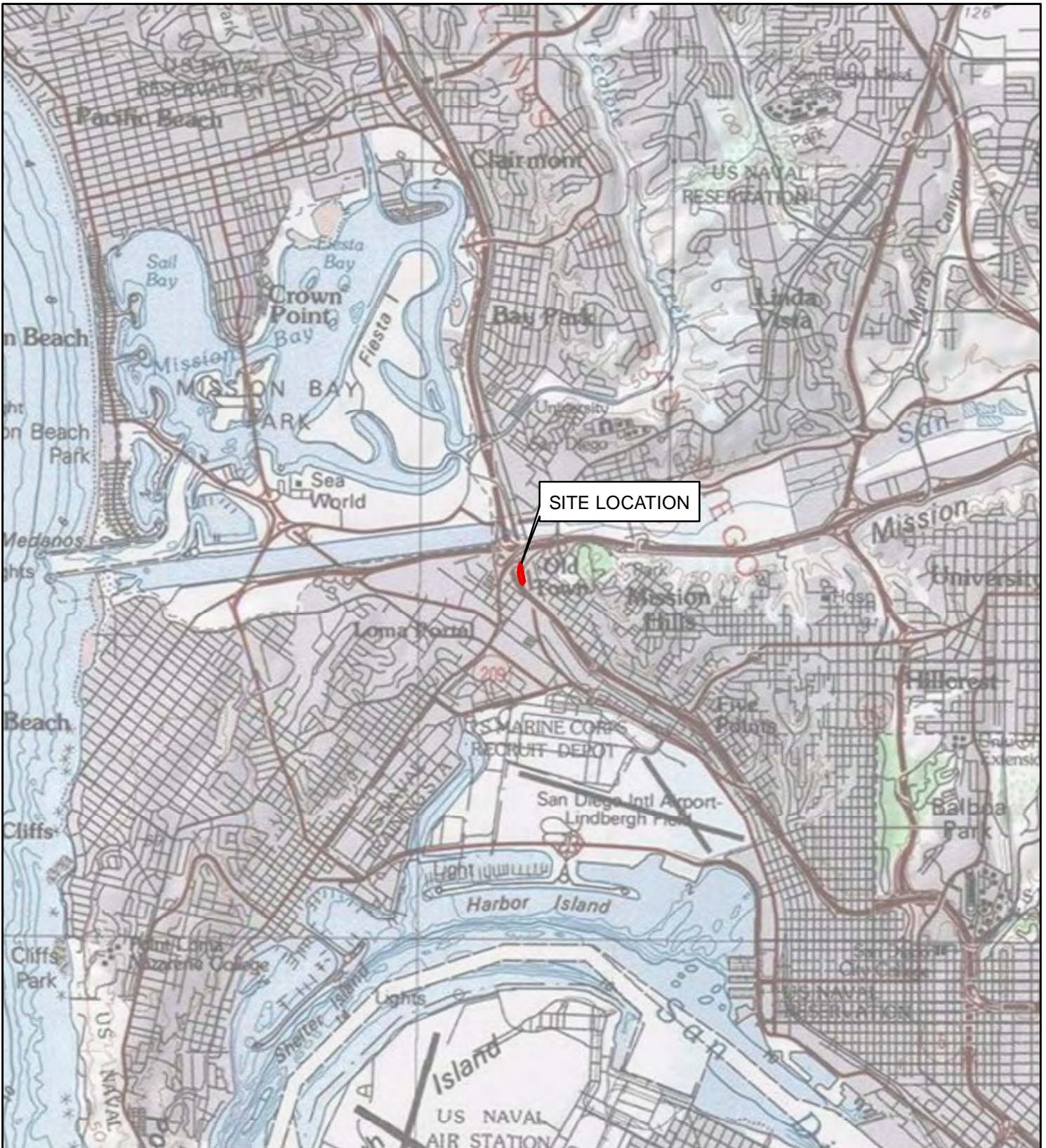
This is not a general grant of reliance. No one other than Viewpoint Development LLC may rely on this report unless Farallon agrees in advance to such reliance in writing. Any unauthorized use, interpretation, or reliance on this report/assessment is at the sole risk of that party and Farallon will have no liability for such unauthorized use, interpretation, or reliance.

FIGURES

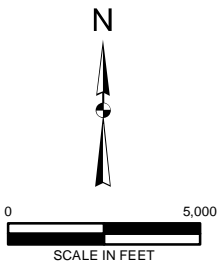
SOIL MANAGEMENT PLAN

Perry's Cafe
Viewpoint Old Town
4610 Pacific Highway
San Diego, California

Farallon PN: 2949-001



REFERENCE: 7.5 MINUTE USGS QUADRANGLE LA JOLLA, CALIFORNIA, DATED 2013




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Your Challenges. Our Priority. | farallonconsulting.com

Washington
Issaquah | Bellingham | Seattle

Oregon
Portland | Baker City

California
Oakland | Irvine

FIGURE 1
SITE VICINITY MAP
PERRY'S CAFE
4610 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA

FARALLON PN: 2696-001

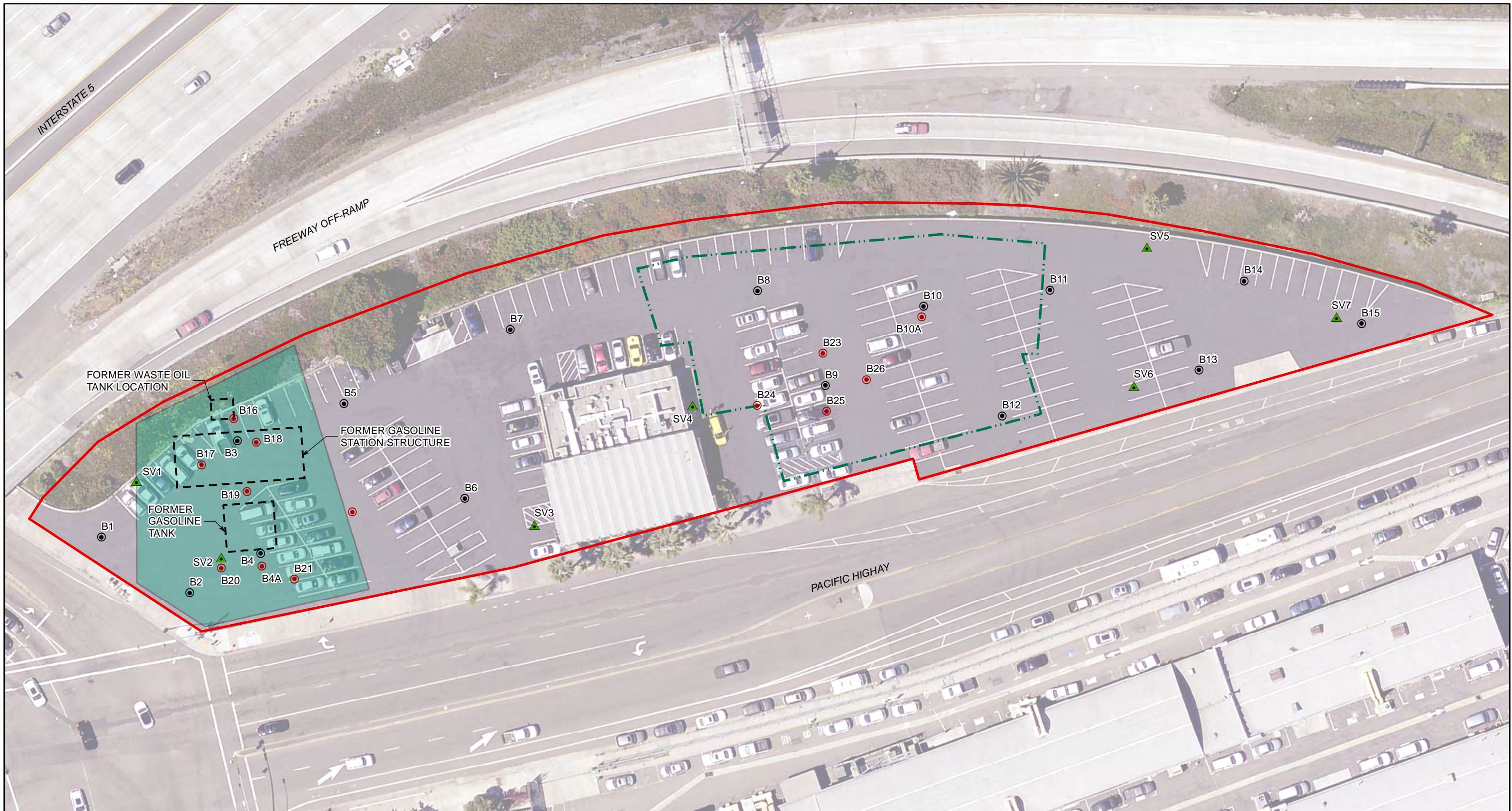
Drawn By: jjonas

Checked By: RK

Date: 12/1/2022

Disc Reference:

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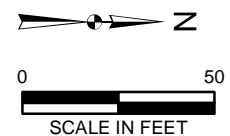


LEGEND

- SOIL BORING (APEX, MAY 12, 2022)
- SOIL BORING (SCS ENGINEERS, SEPTEMBER 8, 2022)
- ▲ SOIL VAPOR BORING (SCS ENGINEERS, SEPTEMBER 8, 2022)
- GEOPHYSICAL SURVEY WITH EM AND GPR IN VICINITY OF OLD GAS STATION

- ▭ ONE LEVEL BELOW GRADE PARKING
- ▭ FORMER SITE FEATURE
- ▭ SITE BOUNDARY

NOTES:
 GPR = GROUND PENETRATING RADAR
 EM = ELECTROMAGNETIC



1. ALL LOCATIONS ARE APPROXIMATE.
 2. FIGURES WERE PRODUCED IN COLOR.
 GRAYSCALE COPIES MAY NOT REPRODUCE ALL ORIGINAL INFORMATION.



Washington
 Issaquah | Bellingham | Seattle
 Oregon
 Portland | Baker City
 California
 Oakland | Irvine

FIGURE 2
 SITE PLAN
 WITH SOIL BORING LOCATIONS
 PERRY'S CAFE
 4610 PACIFIC HIGHWAY
 SAN DIEGO, CALIFORNIA
 FARALLON PN: 2696-001

Drawn By: jjones

Checked By: RK

Date: 12/1/2022

Disc Reference:

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APPENDIX A
SOIL DATA FROM PRIOR ASSESSMENTS

SOIL MANAGEMENT PLAN
Perry's Cafe
Viewpoint Old Town
4610 Pacific Highway
San Diego, California

Farallon PN: 2949-001

Table 1
Soil Sample Analytical Results for TPH, VOCs, OCPs
Viewpoint Old Town Project
4620 Pacific Highway
San Diego, California

Sample Identifier	Sample Depth	Sample Date	Sampled by	TPH GROs	TPH DROs	TPH OROs	DDE	DDT	a-Chlordane	Chlordane	Endosulfan	Y-Chlordane	Other OCPs	Benzene	Trichloro-ethene	Methylene Chloride	Other VOCs
				mg/kg			µg/kg										
B1-1	1'	5/12/2022	Apex	<0.72	<20	41	<10	<10	<5.0	<42	<5.0	<5.0	ND	<4.2	<4.2	<4.2	ND
B1-3	3'	5/12/2022	Apex	<0.88	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.6	<4.6	<4.6	ND
B2-1	1'	5/12/2022	Apex	<0.85	<20	130	NA	NA	NA	NA	NA	NA	NA	<4.1	<4.1	<4.1	ND
B2-3	3'	5/12/2022	Apex	<0.76	390	1,300	NA	NA	NA	NA	NA	NA	NA	4.7	<4.6	<4.6	ND
B3-1	1'	5/12/2022	Apex	<0.85	<20	33	<10	<10	<5.0	<42	<5.0	<5.0	ND	<4.2	<4.2	<4.6	ND
B3-3	3'	5/12/2022	Apex	<0.95	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.9	<4.9	<4.9	ND
B4-1	1'	5/12/2022	Apex	<0.84	<10	<10	<2.0	<2.0	<1.0	<8.5	<1.0	<1.0	ND	<5.0	<5.0	<5.0	ND
B4-3	3'	5/12/2022	Apex	<0.81	<200	<200	NA	NA	NA	NA	NA	NA	NA	<4.1	<4.1	<4.1	ND
B5-1	1'	5/12/2022	Apex	<0.80	<20	25	<10	<10	<5.0	<42	<5.0	<5.0	ND	<4.3	<4.3	<4.3	ND
B5-3	3'	5/12/2022	Apex	<0.79	<100	<100	NA	NA	NA	NA	NA	NA	NA	<4.1	<4.1	<4.1	ND
B6-1	1'	5/12/2022	Apex	<0.76	<50	<50	<10	<10	<5.0	<42	<5.0	<5.0	ND	<4.1	<4.1	<4.1	ND
B6-3	3'	5/12/2022	Apex	<0.77	<10	13	NA	NA	NA	NA	NA	NA	NA	<4.4	<4.4	<4.4	ND
B7-1	1'	5/12/2022	Apex	<0.79	<50	<50	<10	<10	<5.0	<42	<5.0	<5.0	ND	<4.2	<4.2	<4.2	ND
B7-3	3'	5/12/2022	Apex	<0.94	<100	<100	NA	NA	NA	NA	NA	NA	NA	<4.0	<4.0	<4.0	ND
B8 1	1'	5/12/2022	Apex	<1.1	<20	<20	<10	<10	<5.0	<42	<5.0	<5.0	ND	<4.9	<4.9	<4.9	ND
B8 3	3	5/12/2022	Apex	<1.0	<20	<20	NA	NA	NA	NA	NA	NA	NA	<5.2	<5.2	<5.2	ND
B8 7	7	5/12/2022	Apex	<1.0	<10	<10	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B9 1	1	5/12/2022	Apex	<1.0	<100	<100	48	34	31	300	34	22	ND	<5.0	<5.0	16	ND
B9 3	3	5/12/2022	Apex	<1.0	<10	<10	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B9 5	5	5/12/2022	Apex	<0.99	<10	<10	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B9 7	7	5/12/2022	Apex	<1.0	<10	<10	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B9 10	10	5/12/2022	Apex	<0.99	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.9	<4.9	<4.9	ND
B10 1	1	5/12/2022	Apex	<0.85	<20	<20	<4.0	<4.0	4.6	24	<2.0	3.0	ND	<3.8	<3.8	<3.8	ND
B10 7	7	5/12/2022	Apex	<1.4	<10	<10	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B10 10	10	5/12/2022	Apex	<0.78	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.2	<4.2	<4.2	ND
B11 3	3	5/12/2022	Apex	<1.1	<10	<10	NA	NA	NA	NA	NA	NA	NA	<5.2	<5.2	<5.2	ND
B11 7	7	5/12/2022	Apex	<0.79	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.9	<4.9	<4.9	ND
B11 10	10	5/12/2022	Apex	<0.78	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.9	<4.9	<4.9	ND
B12 1	1	5/12/2022	Apex	<1.0	<200	<200	<40	<40	<20	<170	<20	<20	ND	<5.1	<5.1	<5.1	ND
B12 3	3	5/12/2022	Apex	<1.3	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.6	<4.6	<4.6	ND
B12 7	7	5/12/2022	Apex	<1.1	<10	<10	NA	NA	NA	NA	NA	NA	NA	<4.9	<4.9	<4.9	ND
B13 1	1'	5/12/2022	Apex	<1.0	<10	<10	<10	<10	<5.0	<42	<5.0	<5.0	ND	<5.0	<5.0	<5.0	ND
B13 3	3'	5/12/2022	Apex	<1.0	<10	<10	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B14 1	1'	5/12/2022	Apex	<1.0	<20	24	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B14 3	3'	5/12/2022	Apex	<0.99	<20	25	NA	NA	NA	NA	NA	NA	NA	<5.0	<5.0	<5.0	ND
B15 1	1'	5/12/2022	Apex	<1.0	<20	<20	<10.0	<10.0	5.5	60	<5.0	5.6	ND	<5.0	<5.0	<5.0	ND
B15 3	3'	5/12/2022	Apex	<1.0	<200	<200	NA	NA	NA	NA	NA	NA	NA	<4.9	<4.9	<4.9	ND
B9 A-2	2	9/8/2022	SCS Engineers	NA	NA	NA	< 25	< 25	NA	< 25	< 25	NA	ND	NA	NA	NA	NA
B9 A-3	3	9/8/2022	SCS Engineers	NA	NA	NA	< 5	< 5	NA	< 25	< 5	NA	ND	NA	NA	NA	NA
B10 A-2	2	9/8/2022	SCS Engineers	NA	NA	NA	< 25	< 25	NA	< 25	< 25	NA	ND	NA	NA	NA	NA
B10 A-3	3	9/8/2022	SCS Engineers	NA	NA	NA	< 25	< 25	NA	< 25	< 25	NA	ND	NA	NA	NA	NA
B16-1	1	9/8/2022	SCS Engineers	< 9.9	< 9.9	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B16-3	3	9/8/2022	SCS Engineers	< 9.9	< 9.9	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B17-1	1	9/8/2022	SCS Engineers	< 9.9	< 9.9	140	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B17-3	3	9/8/2022	SCS Engineers	< 99	< 99	550	NA	NA	NA	NA	NA	NA	NA	< 5.0	< 5.0	5.2	ND
B17-4	4	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B17-5	5	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B18-1	1	9/8/2022	SCS Engineers	< 10	< 10	98	NA	NA	NA	NA	NA	NA	NA	< 5.0	< 5.0	26	ND
B18-3	3	9/8/2022	SCS Engineers	< 10	< 10	66	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B18-4	4	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Table 1
Soil Sample Analytical Results for TPH, VOCs, OCPs
Viewpoint Old Town Project
4620 Pacific Highway
San Diego, California

Sample Identifier	Sample Depth	Sample Date	Sampled by	TPH GROs	TPH DROs	TPH OROs	DDE	DDT	a-Chlordane	Chlordane	Endosulfan	Y-Chlordane	Other OCPs	Benezene	Trichloro-ethene	Methylene Chloride	Other VOCs
				mg/kg			µg/kg										
B18-5	5	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B-19-1'	1	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B-19-3'	3	9/8/2022	SCS Engineers	< 99	< 99	600	NA	NA	NA	NA	NA	NA	NA	< 5.0	< 5.0	6.7	ND
B-19-4'	4	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B-19-5'	5	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B20-1	1	9/8/2022	SCS Engineers	< 99	< 99	690	NA	NA	NA	NA	NA	NA	NA	< 5.0	< 5.0	15	ND
B20-3	3	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B21-1	1	9/8/2022	SCS Engineers	< 10	< 10	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B21-3	3	9/8/2022	SCS Engineers	< 9.9	< 9.9	< 50	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B22-1	1	9/8/2022	SCS Engineers	< 10	< 10	64	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B22-2	2	9/8/2022	SCS Engineers	< 9.9	14	120	NA	NA	NA	NA	NA	NA	NA	< 4.8	14	6.4	ND
Health Risk-Based Mitigation Criteria (Residential) ¹				430	260	12,000	1,800	1,900	480	480	420,000	480	NA	330	950	1,900	NA
Health Risk-Based Mitigation Criteria (Commercial) ¹				2,000	1,200	180,000	8,300	8,500	2,200	2,200	5,800,000	2,200	NA	1,400	6,100	25,000	NA
Waste-Based Mitigation Criteria ²				Any detectable concentration above laboratory reporting limits													

NOTES:

Soil samples collected by Apex on 5/12/2022 and by SCS Engineers on 9/8/2022.

Samples analyzed for total petroleum hydrocarbons (TPH) in general accordance with U.S. Environmental Protection Agency (EPA) Methods 8015 modified or 8015B, volatile organic compounds (VOCs) in general accordance with EPA Methods 8020, 8240, or 8260B, and/or organochlorine pesticides (OCPs) with EPA Method 8081A

TPH: total petroleum hydrocarbons, GROs: gasoline range organics; DROs: diesel range organics OROs: oil range organics.

Results for TPH reported in milligrams per kilogram (mg/kg); results for VOCs and PCBs reported in micrograms per kilogram (µg/kg).

µg/kg: micrograms per kilogram.

Bold values indicate a specific analyte was reported above its respective laboratory reporting limit.

< indicates specific analyte was reported below its respective laboratory reporting limit; ND indicates group of analytes was reported below their respective laboratory reporting limits.

NA: Not applicable/not analyzed

* separate result from analysis by method EPA 8240.

1: Health Risk-Based Criteria - For TPH and OCPs: the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) Environmental Screening Levels (ESLs) for commercial/ industrial users, dated 2019 (revised).

For VOCs: the Human Health Risk Assessment Note 3 - DTSC-Modified Screening Levels (DTSC-SLs), Table 3 - Screening Levels for Soil Analytes. Residential. June 2020 Update, Revised May 2022.

^ A DTSC-SL has not been established for this constituent. The Environmental Protection Agency (EPA) Regional Screening Level (RSL) dated May 2022, was used for this constituent.

2: Waste-Based Criteria - for chemical constituents such as organochlorine pesticides, detectable concentrations would be considered a regulated waste if exported from the Site, per the Regional Water Quality Control Board (RWQCB) Tier 1 Soil Screening Levels (SSLs) for waste, May 2019.

Red font : Constituent result above the Health Risk-Based regulatory screening criteria.

Table 2
Soil Sample Analytical Results for Title 22 Metals
Viewpoint Old Town Project
4620 Pacific Highway
San Diego, California

Sample Identifier	Depth	Date	Sampled by	Antimony	Arsenic	Barium	Beryllium	Cadmium	Chromium	Cobalt	Copper	Total Lead	STLC	Mercury	Molybdenum	Nickel	Selenium	Silver	Thallium	Vanadium	Zinc
				mg/kg										mg/L	mg/kg						
B1-1	1'	5/1/2022	Apex	<2	10	62	1.1	<1	12	4	12	20	NA	<0.1	<1	4.6	<1	2	<1	32	45
B1-3	3'	5/1/2022	Apex	<2	<1	140	3.4	<1	25	7.2	14	6.8	NA	<0.1	<1	6.3	<1	7.7	<1	59	49
B2-1	1'	5/1/2022	Apex	<2	22	51	<1	<1	13	5	12	36	NA	<0.1	<1	5.6	<1	<1	<1	27	52
B2-3	3'	5/1/2022	Apex	<2	3.4	87	1.3	<1	16	10	44	31	NA	0.2	<1	7.2	<1	2.4	<1	41	57
B3-1	1'	5/1/2022	Apex	<2	5.4	150	1.9	<1	18	4.6	19	58	5.6	<0.1	<1	5.3	<1	3.8	<1	41	84
B3-3	3'	5/1/2022	Apex	<2	<1	120	2.9	<1	20	5.8	11	13	NA	<0.1	<1	4.7	<1	6.4	<1	50	46
B4-1	1'	5/1/2022	Apex	<2	39	44	<1	<1	5.4	2.4	6.1	7.8	NA	<0.1	<1	4.1	<1	<1	<1	23	25
B4-3	3'	5/1/2022	Apex	<2	3.4	54	1.4	<1	15	3.4	8.1	64	5.0	<0.1	<1	6.4	<1	2.9	<1	30	46
B5-1	1'	5/1/2022	Apex	<2	6	91	1.5	<1	16	4	34	41	NA	<0.1	<1	5	<1	3	<1	38	80
B5-3	3'	5/1/2022	Apex	<2	7.1	75	1.3	<1	14	3.9	19	27	NA	<0.1	<1	5	<1	3.2	<1	32	49
B6-1	1'	5/1/2022	Apex	<2	2.2	110	2.4	<1	20	6.9	14	10	NA	<0.1	<1	5.9	<1	4.8	<1	56	79
B6-3	3'	5/1/2022	Apex	<2	<1	74	1.7	<1	21	4.1	8.9	10	NA	<0.1	<1	6.4	<1	3.7	<1	37	41
B7-1	1'	5/1/2022	Apex	<2	6.7	65	1	<1	9.8	6.2	8.5	12	NA	<0.1	<1	3.8	<1	1.9	<1	27	39
B7-3	3'	5/1/2022	Apex	<2	9.4	51	<1	<1	11	6.4	8.5	12	NA	<0.1	<1	4.1	<1	1.6	<1	25	31
B8 1	1'	5/1/2022	Apex	<2	6.3	65	1.5	<1	15	4.9	11	13	NA	<0.1	<1	5.3	<1	2.8	<1	34	49
B8 3	3	5/1/2022	Apex	<2	<1	76	1.3	<1	14	3.0	10	55	<2.7	<0.1	<1	3.0	<1	3.0	<1	34	83
B8 7	7	5/1/2022	Apex	<2	<1	32	<1	<1	6.3	1.9	2.4	<1	NA	<0.1	<1	1.4	<1	2.2	<1	15	9.1
B9 1	1	5/1/2022	Apex	<2	4.9	48	<1	<1	7.6	2.8	11	60	7	<0.1	<1	2.9	<1	1.7	<1	22	46
B9 3	3	5/1/2022	Apex	<2	<1	58	1.5	<1	14	3.0	5.6	16	NA	<0.1	<1	2.4	<1	3.2	<1	39	40
B9 5	5	5/1/2022	Apex	<2	<1	24	<1	<1	6.9	1.4	2.1	1.5	NA	<0.1	<1	1.1	<1	1.3	<1	20	7.5
B9 7	7	5/1/2022	Apex	<2	<1	24	<1	<1	5.9	1.4	<2	<1	NA	<0.1	<1	1.2	<1	1.5	<1	14	7.1
B9 10	10	5/1/2022	Apex	<2	<1	29	<1	<1	7.9	1.7	2.1	<1	NA	<0.1	<1	1.3	<1	2.0	<1	23	8.4
B10 1	1	5/1/2022	Apex	<2	5.6	61	1.4	<1	15	4.7	12	33	NA	<0.1	<1	6.9	<1	2.2	<1	34	50
B10 7	7	5/1/2022	Apex	<2	<1	41	1.3	<1	10	2.4	3.3	1.2	NA	<0.1	<1	2.1	<1	2.9	<1	24	13
B10 10	10	5/1/2022	Apex	<2	<1	37	1.2	<1	8.5	2.2	2.8	<1	NA	<0.1	<1	1.9	<1	2.7	<1	21	12
B11 3	3	5/1/2022	Apex	<2	<1	100	2.8	<1	20	5.2	9.0	26	NA	<0.1	<1	4.5	<1	6.3	<1	50	78
B11 7	7	5/1/2022	Apex	<2	<1	40	1.1	<1	8.3	2.2	2.9	<1	NA	<0.1	<1	1.7	<1	2.5	<1	22	11
B11 10	10	5/1/2022	Apex	<2	1.4	44	1.4	<1	13	2.6	3.6	1.6	NA	<0.1	<1	2.2	<1	3.0	<1	39	13
B12 1	1	5/1/2022	Apex	<2	3.3	82	2.0	<1	15	4.8	13	59	0.54	<0.1	<1	7.0	<1	4.2	<1	44	43
B12 3	3	5/1/2022	Apex	<2	<1	42	1.2	<1	8.6	2.5	3.1	1.1	NA	<0.1	<1	1.8	<1	2.8	<1	22	12
B12 7	7	5/1/2022	Apex	<2	<1	54	1.7	<1	10	3.2	4.2	1.3	NA	<0.1	<1	2.4	<1	3.8	<1	26	16
B13 1	1'	5/1/2022	Apex	<2	2.8	77	1.9	<1	15	3.9	6.9	26	NA	<0.1	<1	4.1	<1	4.2	<1	34	31
B13 3	3'	5/1/2022	Apex	<2	<1	58	1.6	<1	14	2.9	5	1.5	NA	<0.1	<1	2.6	<1	3.7	<1	35	16
B14 1	1'	5/1/2022	Apex	<2	4.7	68	1.3	<1	14	4.1	7.8	28	NA	<0.1	<1	4.3	<1	2.6	<1	32	39
B14 3	3'	5/1/2022	Apex	<2	3.7	62	1.4	<1	14	4.1	8	32	NA	<0.1	<1	4.7	<1	2.6	<1	34	45
B15 1	1'	5/1/2022	Apex	<2	13	69	1.2	<1	13	3.3	9.1	14	NA	<0.1	<1	5.7	<1	2.1	<1	30	48
B15 3	3'	5/1/2022	Apex	<2	7.9	58	<1	<1	11	3.4	7.6	12	NA	<0.1	<1	5.3	<1	1.7	<1	27	35
B4-A-4	4'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	<0.98	NA	NA	NA	NA	NA	NA	NA	NA	NA
B4-A-5	5'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	3.8	NA	NA	NA	NA	NA	NA	NA	NA	NA
B16-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	12	NA	NA	NA	NA	NA	NA	NA	NA	NA
B16-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	13	NA	NA	NA	NA	NA	NA	NA	NA	NA
B17-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	25	NA	NA	NA	NA	NA	NA	NA	NA	NA
B17-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	13	NA	NA	NA	NA	NA	NA	NA	NA	NA
B18-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	35	NA	NA	NA	NA	NA	NA	NA	NA	NA
B18-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	40	NA	NA	NA	NA	NA	NA	NA	NA	NA
B-19-1'	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	33	NA	NA	NA	NA	NA	NA	NA	NA	NA
B-19-3'	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	30	NA	NA	NA	NA	NA	NA	NA	NA	NA
B20-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	17	NA	NA	NA	NA	NA	NA	NA	NA	NA
B20-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	39	NA	NA	NA	NA	NA	NA	NA	NA	NA
B21-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	19	NA	NA	NA	NA	NA	NA	NA	NA	NA
B21-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	4.1	NA	NA	NA	NA	NA	NA	NA	NA	NA
B22-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	38	NA	NA	NA	NA	NA	NA	NA	NA	NA
B22-2	2'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	43	NA	NA	NA	NA	NA	NA	NA	NA	NA

Table 2
Soil Sample Analytical Results for Title 22 Metals
Viewpoint Old Town Project
4620 Pacific Highway
San Diego, California

Sample Identifier	Depth	Date	Sampled by	Antimony	Arsenic	Barium	Beryllium	Cadmium	Chromium	Cobalt	Copper	Total Lead	STLC	Mercury	Molybdenum	Nickel	Selenium	Silver	Thallium	Vanadium	Zinc
B23-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	7.6	NA	NA	NA	NA	NA	NA	NA	NA	NA
B23-2	2'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	31	NA	NA	NA	NA	NA	NA	NA	NA	NA
B23-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	3.6	NA	NA	NA	NA	NA	NA	NA	NA	NA
B24-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	6.9	NA	NA	NA	NA	NA	NA	NA	NA	NA
B24-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	4.9	NA	NA	NA	NA	NA	NA	NA	NA	NA
B25-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	2.9	NA	NA	NA	NA	NA	NA	NA	NA	NA
B25-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	1.8	NA	NA	NA	NA	NA	NA	NA	NA	NA
B26-1	1'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	6.1	NA	NA	NA	NA	NA	NA	NA	NA	NA
B26-3	3'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	59	1.2	NA	NA	NA	NA	NA	NA	NA	NA
B26-4	4'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	16	NA	NA	NA	NA	NA	NA	NA	NA	NA
B26-5	5'	9/8/2022	SCS Engineers	NA	NA	NA	NA	NA	NA	NA	NA	< 0.96	NA	NA	NA	NA	NA	NA	NA	NA	NA
Health Risk-Based Criteria¹				31	12	15,000	1,600	910	NE	23	3,200	80	NA	1.0	390	15,000	390	390	12	1,200	350,000
Hazardous Waste Criteria²				500	500	10,000	75	100	2,500	8,000	2,500	1,000	5	20	3,500	2,000	100	500	700	2,400	5,000
Waste-Based Screening Criteria³				5.0	3.5	509	4.0	4	122	20	60	23.9	NA	0.26	2.0	57	0.21	2.0	0.78	112	149

Soil samples collected by Apex on 5/12/2022 and SCS Engineers on 9/8/2022.

Soil samples were analyzed for Title 22 metals by Environmental Protection Agency (EPA) Method 6010B and hexavalent chromium by EPA Method 7199.

1) Health Risk-Based Criteria - For lead, the Department of Toxic Substances Control (DTSC) Human and Ecological Risk Office (HERO) Human Health Risk Assessment (HHRA) Note Number: 3, June 2020, Revised May 2022, using the recommended Screening Levels (SL) for residential soil and cancer endpoint, or, for other metals not listed in HHRA Note 3, the Regional Screening levels for residential soil, provided by the EPA and updated as of May 2022 were used.

For other metals not listed in HHRA Note 3, the Regional Screening levels for residential soil, provided by the EPA and updated as of May 2022 were used.

For arsenic, although the DTSC RSL is 0.36 mg/kg, naturally occurring arsenic typically exceeds human health risk screening criteria. Therefore, the DTSC upper-bound background concentration for arsenic of 12 mg/kg was used.

2) Hazardous Waste Criteria: Values shown from CA code of regulations, Title 22 Article 3, July 20, 2005 regarding characteristics of hazardous waste.

Exceedances of the Total Threshold Limit Concentration (TTL) would be considered a California hazardous waste, at a minimum.

3) Waste-Based Screening Criteria: Regional Water Quality Control Board (RWQCB) Soil Screening Levels³ (SSLs) for waste (i.e., soil export). Tier 1 SSLs are the criteria by which soil is judged to be "inert waste soils that can be reused without restriction" as developed by the RWQCB (Waiver).

mg/L : milligrams per liter.

mg/kg : milligrams per kilogram.

<: indicates the specific analyte was reported below the laboratory reporting limit.

NA : sample not analyzed for specific analyte

NE : Screening criteria not established.

STLC: Soluble threshold limit concentration.

TCLP: Toxicity characteristic leaching procedure.

Black font : Constituent result above the laboratory reporting limit

Red font : Constituent result above the Health Risk-Based regulatory screening criteria.

Pink font : Constituent result above the Hazardous Waste-Based regulatory screening criteria.

APPENDIX B
WAIVER NO. 9 FROM ORDER NO. R9-2019-005

SOIL MANAGEMENT PLAN
Perry's Cafe
Viewpoint Old Town
4610 Pacific Highway
San Diego, California

Farallon PN: 2949-001

Waiver No. 9 – Discharges/Disposal to Land of Solid Wastes.**A. Specific Findings for Discharges/Disposal to Land of Solid Wastes**

1. The conditional waiver for Discharges/Disposal to Land of Solid Wastes (Solid Waste Waiver) is for discharges of solid wastes to land which may be a source of pollutants that can adversely affect the quality of waters of the State.
2. The export of soils from sites not known to be contaminated is not subject to enrollment under the Solid Waste Waiver.
3. The following types of discharge not regulated under WDRs may be eligible for the Solid Waste Waiver:
 - a. Discharges/application to land of amendments³⁶ and/or mulches³⁷;
 - b. Discharges to land of soils containing wastes to temporary waste piles;
 - c. Discharges/disposal to land of inert wastes to solid waste disposal facilities only accepting inert wastes; and
 - d. Discharges to land for the disposal/reuse of soils characterized as inert from known contaminated sites.
4. To be eligible for the Solid Waste Waiver, discharges must comply with both the general and specific conditions of this waiver.
5. Discharges of solid wastes to land that comply with the general and specific waiver conditions in the Solid Waste Waiver are not expected to pose a threat to the quality of waters of the State.

IT IS HEREBY ORDERED, that any Discharger proposing to discharge solid wastes to land, in order to meet the provisions contained in Division 7 of the Water Code, section 13269, must comply the following requirements.

B. General Waiver Conditions for Discharges/Disposal of Solid Wastes to Land.

1. Discharges/Disposal of solid wastes to land must:
 - a. Not be allowed to directly or indirectly enter any MS4s or surface waters of the State, including ephemeral streams and vernal pools; and
 - b. Not cause or threaten to cause a condition of contamination, pollution, or nuisance.
2. Discharge operations/facilities accepting and/or discharging solid wastes to land must:

³⁶ For the purposes of this waiver, the term “amendments” refers to materials (e.g., compost) added to the soil to improve its nutrient, water, and air holding abilities. Soil amendments may be incorporated into the soil, or placed on top of the ground surface.

³⁷ For the purposes of this waiver, the term “mulches” refers to chipped and ground materials consisting of, but may not be limited to leaves, bark, straw, and pine needles. Mulches are typically applied to the ground surface for weed and erosion suppression, and water conservation efforts.

- a. Comply with local, State, and federal ordinances and regulations and obtain any required permits, certifications, and/or licenses;
 - b. Prevent the discharge of any pollutants to MS4s and surface waters that could adversely affect the quality or beneficial uses of waters of the State; and
 - c. Allow the San Diego Water Board and/or other local regulatory agencies reasonable access to the site to perform inspections and conduct monitoring.
3. Discharges eligible for enrollment in the Solid Waste Waiver must submit a complete NOI, as specified in the respective specific waiver conditions. An NOI template is included in Attachment A of the Order.
 4. Discharger must submit a technical and/or monitoring program reports when directed by the San Diego Water Board.
- C. Specific Waiver Conditions for Discharges/Disposal to Land of Solid Wastes**
1. Discharges/Application to Land of Amendments and/or Mulches.
 - a. Discharges of amendments and/or mulches to soil applied at the following locations for erosion control and soil stabilization, landscaping and water conservation efforts, are not expected to pose a threat to the quality of the water of the State and are therefore exempt from the specific waiver conditions of this waiver and are not required to file an NOI.
 - i. Residential properties
 - ii. Educational institutions
 - iii. Parks
 - iv. Hospitals
 - v. Prisons
 - vi. Community gardens
 - vii. Commercial, construction, industrial, and/or business parks
 - viii. State, county, or city roadways, and other right of ways
 - ix. Other government properties (e.g., courthouses, administrative offices, training facilities)
 - b. Discharges of amendments and mulches to soils, not specifically listed in section C.1.a of this waiver, must submit:
 - i. A complete NOI; An NOI template is included in Attachment A of the Order, and
 - ii. The first annual fee if applicable. The amount of the annual fee will be determined by the San Diego Water Board, in accordance with Water Code sections 13269(a)(4) and 13260, and the fee schedule established by the State Water Board pursuant to Calif. Code Regs. title 23 section 2200.7.

- c. Discharges of amendments or mulches applied to soil cannot include any of the following additives, unless sufficient information is provided in the NOI to demonstrate that the waste does not pose a potential threat to water quality:
 - i. Municipal solid wastes;
 - ii. Sludges, including sewage sludge, water treatment sludge, and industrial sludge;
 - iii. Septage;
 - iv. Liquid wastes;
 - v. Oil and grease; and
 - vi. Hazardous, designated, and any other wastes determined by the San Diego Water Board to pose a potential threat to water quality.
 - d. Discharges of amendments applied to soil must comply with the requirements for exemption from Calif. Code Regs. title 27, section 20090(f).
 - e. Soil amendments or mulch materials eligible to be applied to soil, the amount must be reasonable for the crop or plant, soil, climate, special local situations, management system, and type of soil amendment or mulch. Application rates must take into account storm events. Application rates must not allow soil amendment or mulch materials to be transported off the property in storm water runoff during the wet weather season. Resources and assistance may be available from the Natural Resource Conservation Service (NRCS), University of California Cooperative Extension (UCCE), and other organizations. A copy of the calculations and/or estimate of the application rate must be available on site for inspection.
 - f. Soil amendments or mulch materials to soil must be applied at site-specific rates appropriate to the season (i.e., dry vs. rainy).
 - g. Soil amendments or mulch materials must implement MMs/BMPs to minimize or eliminate runoff and leachate to surface waters and groundwater.
2. Discharge to Land of Soils Containing Wastes to Temporary Waste Piles.
- a. For **any soils containing wastes** temporarily stored in waste piles, the following conditions apply:
 - i. To be eligible for this waiver, the Discharger must submit the following within 30 days of the initial discharge of any waste piles:
 - (A) A complete NOI. An NOI template is included in Attachment A of the Order;
 - (B) A Temporary Waste Pile Certification form, Part 1. The Temporary Waste Pile Certification form is included in

- Attachment C of the Order. The property owner must approve and acknowledge the placement of the waste at the site;
- (C) The first annual fee. The amount of the annual fee will be determined by the San Diego Water Board, in accordance with Water Code sections 13269(a)(4) and 13260, and the fee schedule promulgated in Calif. Code Regs. title 23 sections 2200.7; and
 - (D) A complete Temporary Waste Pile Certification form, Part 2, within 10 working days of completing removal of all waste and restoring the site to its original condition. The Temporary Waste Pile Certification form is included in Attachment C of the Order.
- ii. The Discharger, unless otherwise specified in the applicable conditions of this waiver, must not allow temporary waste piles to remain on a site for longer than 6 months or 180 days, whichever is longer.
 - iii. The temporary discharge of waste must not cause:
 - (A) The occurrence of coliform or pathogenic organisms in waters pumped from the hydrologic basin;
 - (B) The occurrence of objectionable tastes and odors in water pumped from the hydrologic basin;
 - (C) Waters pumped from the hydrologic basin to foam;
 - (D) The presence of toxic materials in waters pumped from the hydrologic basin;
 - (E) The pH of waters pumped from the hydrologic basin to fall below 6.0 or rise above 9.0;
 - (F) Pollution, contamination or nuisance or adversely affect the quality or beneficial uses of groundwater or surface waters of the hydrologic subareas established in the Basin Plan; and/or,
 - (G) A violation of any discharge prohibitions in the Basin Plan for the San Diego Region.
 - iv. The Discharger must conduct regular inspections of temporary waste piles and associated MMs/BMPs at least once per week. Corrective actions must be taken as necessary to ensure compliance with the conditions of this waiver.
 - v. Surface drainage must be diverted away from the temporary waste piles. For all temporary waste piles, the discharger must implement effective MMs/BMPs to prevent surface water run on and runoff from contacting wastes, and to prevent erosion and transport of wastes by surface runoff. Non-storm water discharges to MS4s are prohibited. Discharges of storm water

to MS4s containing pollutants as a result of contact with the waste piles are prohibited.

- vi. Temporary waste piles must be:
 - (A) Placed at least 5 feet above the highest historically known or anticipated level of groundwater, and more than 100 feet³⁸ from any surface water of the State, or any MS4 facility, unless sufficient information is provided in the NOI, to demonstrate that a proposed alternative is protective of water quality;
 - (B) Protected against 100-year peak stream flows as defined by the county flood control agency;
 - (C) Covered by plastic sheeting (not less than 10 mils thick, unless otherwise specified under the applicable Special Conditions) to adequately prevent rainwater infiltration, control fugitive dust, and prevent other nuisances; and
 - (D) Underlain by either plastic sheeting (not less than 10 mils thick, unless otherwise specified under the applicable conditions) or a liner of low permeability material that will prevent leachate from infiltrating to groundwater.
- vii. Solid wastes discharged to temporary waste piles, together with any containment materials used at the temporary waste pile, and any underlying geologic materials impacted by the discharge, must be removed within 6 months or 180 days (whichever is longer), unless otherwise specified under the applicable Special Conditions. Subsequently, the discharger must remove all wastes, treatment facilities, and related equipment, and dispose of those items in accordance with applicable regulations. The site must be restored to its original state within 30 days after the temporary waste pile is removed, unless otherwise specified under the applicable Special Conditions.
- viii. The discharger must post at least one clearly visible sign listing the following minimum information:
 - (A) Project name,
 - (B) Name and address of discharger,
 - (C) Brief project description, and
 - (D) 24-hour contact information – name, address, facsimile, and telephone number for the project for as long as the temporary waste pile remains on the site.

³⁸ Other federal, State, or local requirements may require larger setbacks. This condition does not excuse the discharger from complying with other applicable setback requirements.

- b. For ***soils containing petroleum hydrocarbons*** temporarily stored in waste piles, the following conditions apply:
- i. Soils and associated solid waste containing petroleum hydrocarbons discharged into temporary waste piles must be limited to a maximum time period of 3 months or 90 days on a site.
 - ii. Soils and associated solid waste containing petroleum hydrocarbons discharged into temporary waste piles under an initial certification report must be derived from only one source (e.g., one unauthorized release site).
 - iii. Temporary waste piles must be covered by plastic sheeting (not less than 10 mils thick) to adequately prevent rainwater infiltration, control fugitive dust, and prevent other nuisances.
 - iv. Temporary waste piles must be underlain by either plastic sheeting (not less than 10 mils thick) or a liner of low permeability that will prevent leachate from infiltrating to groundwater.
 - v. In addition to the conditions stated herein, temporary waste piles must conform to applicable provisions of ordinances and regulations issued by the local regulatory agencies for Orange, Riverside, or San Diego Counties.
 - vi. The site must be restored to its original state within 30 days after removal of the temporary waste pile from the site.
- c. For ***dredged spoils containing heavy metals*** temporarily stored in waste piles, the following conditions apply:
- i. Dredged spoils and associated solid waste containing heavy metals discharged into temporary waste piles must be limited to a maximum time period of 270 days on a site, whichever is longer.
 - ii. Temporary waste piles must be covered by either a plastic sheeting to adequately prevent rainwater infiltration, control fugitive dust, and prevent other nuisances. Alternative control methods may be utilized if sufficient information is provided in the NOI to demonstrate that the proposed alternative is protective of water quality and human health.
 - iii. Temporary waste piles must be underlain by plastic sheeting (not less than 20 mils thick) or a liner of lower permeability that will prevent leachate from infiltrating to groundwater. Sufficient information must be provided in the NOI demonstrating that the liner and containment facility has been designed to contain all solid wastes and fluids.
 - iv. Materials used in containment structures must have the appropriate chemical and physical properties to ensure that such structures do not fail to contain waste because of: the

stress of installation, pressure gradients, physical contact with the waste or leachate, or chemical reactions with soil and rock.

- v. The site must be restored to its original state within 60 days after removal of the temporary waste pile from the site.
3. Discharges/Disposal to Land of Inert Wastes to Solid Waste Disposal Facilities Accepting Only Inert Wastes.³⁹
- a. Discharges/disposal to land of inert wastes to solid waste disposal facilities accepting only inert wastes, must submit:
 - i. A complete NOI; and
 - ii. The first annual fee if applicable. The amount of the annual fee will be determined by the San Diego Water Board, in accordance with Water Code sections 13269(a)(4) and 13260, and the fee schedule established by the State Water Board pursuant to Calif. Code Regs. title 23 section 2200.7.

An NOI template is included in Attachment A of the Order.
 - b. Inert solid waste must not contain hazardous waste, or soluble or decomposable constituents.
 - c. Inert solid waste cannot contain any “free liquids.”⁴⁰
 - d. Owner/operator of disposal facility must secure the disposal site and prevent unauthorized disposal by the public.
 - e. Inert solid wastes exclude any wastes determined by the San Diego Water Board to potentially have an adverse effect on the quality or beneficial uses of waters of the State, even if classified as inert waste.
4. Discharges to Land for the Disposal/Reuse of Soils Characterized as Inert from Known Contaminated Sites.⁴¹
- a. Discharges to land for the disposal/reuse of soils characterized as inert from known contaminated sites, must submit:
 - i. A complete NOI,
 - ii. Waiver 9: Inert Waste Certification – Part 1 - Enrollment; and
 - iii. The first annual fee if applicable. The amount of the annual fee will be determined by the San Diego Water Board, in accordance with Water Code sections 13269(a)(4) and 13260,

³⁹ According to Calif. Code Regs. title 27 section 20230(a) “Inert waste” is defined as “that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and does not contain significant quantities of decomposable waste.”

⁴⁰ “Free liquids” defined by Calif. Code Regs. title 27 section 20164 as “liquid which readily separates from the solid portions of waste under ambient temperature and pressure.”

⁴¹ For the purposes of this waiver, a known contaminated site may contain soils characterized and determined by the discharger to be unimpacted by the release of waste. Soils that have not been impacted by the release of waste may be exported and are not subject to this waiver.

and the fee schedule established by the State Water Board pursuant to Calif. Code Regs. title 23 section 2200.7.

An NOI template is included in Attachment A of the Order. The Inert Waste Certification, Part 1 – Enrollment is included in Attachment B of the Order.

- b. For ***all waste soils characterized as inert (Tier 1 or Tier 2)***, the following conditions apply:
- i. Inert waste soils from known contaminated sites cannot be transported off site and discharged/disposed/reused directly or indirectly to any MS4s or surface waters of the State, including ephemeral streams and vernal pools.
 - ii. Inert waste soils from known contaminated sites cannot contain significant quantities of decomposable wastes, refuse, or trash.
 - iii. Inert waste soils from known contaminated sites cannot contain any “free liquids.”⁴²
 - iv. Inert waste soils that are discharged/disposed/reused at any site cannot have any hydrocarbon, chlorinated solvent, or other contaminant-based odor.
 - v. Sites that export or import soils characterized as inert from known contaminated sites for use as fill material or any other purpose must comply with any applicable federal, State, or local permitting requirements, regulations, and/or ordinances pertaining to the use of imported soil.
 - vi. Sites that export or import soils characterized as inert from known contaminated sites for use as fill material or any other purpose must implement MMs/BMPs to eliminate the potential for erosion and transport of sediment off the site.
 - vii. This waiver does not authorize the discharge/disposal/ reuse of soil characterized as inert from known contaminated sites outside the boundaries of the San Diego Region.
 - viii. Prior to exporting soil characterized as inert from a known contaminated site, the owner/operator of the export site must file a NOI⁴³ with the San Diego Water Board. The NOI must:
 - (A) Be filed no less than 5 working days prior to the beginning of export shipments; and
 - (B) Include a map of the site showing the locations of excavations, borings and/or stockpiles, MMs/BMPs that

⁴² “Free liquids” defined by Calif. Code Regs. title 27 section 20164 as “liquid which readily separates from the solid portions of waste under ambient temperature and pressure.”

⁴³ A Notice of Intent required to be submitted for enrollment in the Solid Waste Waiver is located in Attachment A of Order No. R9-2019-0005 (Appendix B of this Technical Report).

will be taken to eliminate any discharge of water that has come into contact with waste soils to MS4s, and prevent discharges of waste soil that could affect surface water and groundwater quality, estimated volumes (can be a range of volumes) of inert waste soil that will be generated for use off the site, estimated number (can be a range) and locations of samples that will be collected for characterization, and name of the certified environmental analytical laboratory that will perform the analysis.

- c. Waste soils from a site with a known or discovered unauthorized release must be characterized and certified as inert in order for the soil to be reused off site. Characterization and certification must include the following minimum requirements:
 - i. All temporary waste piles of soils generated during remediation or corrective action must be managed in accordance with the waiver conditions for the discharge of specified soils containing wastes to temporary waste piles. Or, waste soils may be sampled and characterized in-situ prior to transport and disposal or reuse off site.
 - ii. Waste soil must be segregated into 2 categories:
 - (A) Soil that is impacted by the unauthorized release must be characterized as hazardous, designated, and/or non-hazardous waste and handled in accordance with regulatory requirements for the disposal of solid wastes. Waste soils that do not visually appear impacted, but have detectable odors, must be treated as impacted soil and cannot be characterized as inert.
 - (B) Soil that does not appear to be impacted by the unauthorized release by visual inspection and odor must be sampled and analyzed to confirm the soil can be characterized as inert waste soil.
 - iii. Samples must be collected from the waste soil suspected to be inert for laboratory analysis. The minimum number of samples required to characterize the soil are specified in Table No. 1 of the Solid Waste Waiver.

Table No. 1: Sample Analysis Required

Volume of Soil	Required Number of Samples Analyzed
<100 cy	4 samples
100 cy to <500 cy	4 samples, plus 1 sample for every additional 25 cy over 100 cy
500 cy to <5,000 cy	20 samples, plus 1 sample for every additional 500 cy over 500 cy
5,000 cy or more	29 samples, plus 1 sample for every additional 1,000 cy over 5,000 cy ⁴⁴

- iv. Samples must be analyzed by a State-certified analytical laboratory using USEPA approved analytical methods for the following constituents:
- (A) Total concentrations of those Calif. Code Regs. title 22 metals identified as contaminants of concern for the export site. For sites identified with burn ash⁴⁵, the site must be investigated, and the burn ash must be characterized for disposal purposes according to the protocol established by the lead regulatory agency (e.g., Department of Toxic Substances Control, California Department of Resources Recycling and Recovery, or others) to identify contaminants of concern at the site. The soil outside of the area of impact of the burn ash must be tested for the total concentration of those metals identified as contaminants of concern based on the findings of the burn ash investigation technical study.
 - (B) Total petroleum hydrocarbons (by USEPA Method 8015 full scan if export site includes oil or fuel as potential or actual contaminants of concern).
 - (C) Polychlorinated biphenyls (if export site includes PCBs as potential or actual contaminants of concern)
 - (D) Volatile and semi-volatile organic compounds (if export site includes volatile and semi-volatile organic compounds as potential or actual contaminants of concern)
 - (E) Pesticides (if export site includes a known agricultural area, or pesticides as potential or actual contaminants of concern)

⁴⁴ Volumes greater than 10,000 cubic yards (cy) may rely on fewer samples than 1 per each additional 1,000 cy if characterization complies with SW846 methods for selecting appropriate numbers of samples for waste characterization and statistical analysis. The appropriate number of samples is the least number of samples required to generate a sufficiently representative estimate of the true mean concentration of a chemical contaminant or waste.

⁴⁵ For the purposes of the Solid Waste Waiver, "burn ash" sites are those where solid waste has been burned at low temperature and the residual burn ash pits and burn ash layers are present in soil.

- (F) Other constituents (if contaminated portion of the export site is found to contain other pollutants or contaminants)
- v. For detected concentrations of constituents (as defined in section C.4.c.iv(E) of this waiver) other than Calif. Code Regs. title 22 metals, a representative number of soil samples must also be analyzed by a State-certified analytical laboratory using a zero headspace extractor and the Synthetic Precipitation Leaching Procedure (SPLP).⁴⁶ If analytical results indicate the detection of leachable concentrations of constituents, the NOI must also explain why the wastes qualify as inert waste under Calif. Code Regs. Title 27, section 20230.
- vi. For detected concentrations of Calif. Code Regs. Title 22 metals, a representative number of soil samples must be analyzed by a State-certified laboratory. If analytical results indicate the detection of soluble concentrations of Calif. Code Regs. title 22 metals, the NOI must also explain why the wastes qualify as inert waste under Calif. Code Regs. title 27, section 20230.
- d. For reuse of ***Tier 1 inert waste soils (full unrestricted reuse within the San Diego Region)***, the following conditions apply:
 - i. Soil cannot contain any detectable concentrations of contaminants other than Calif. Code Regs. title 22 metals, or leachable concentrations of constituents that do qualify under the definition of “inert waste” specified in Calif. Code Regs. title 27, section 20230. If analytical results indicate leachable detectable concentrations (see sections C.4.c.v and C.4.c.vi of this waiver) of constituents the NOI must also explain why the wastes qualify as inert waste under Calif. Code Regs. title 27, section 20230.
 - ii. For those Calif. Code Regs. title 22 metals that have been identified as contaminants of concern for the export Site, samples must be analyzed by an SW846 method using the reporting limits set forth in Table No. 2 below. From these data, the 90 percent upper confidence level (UCL) must be determined. Prior to calculating the 90 percent UCL, the discharger must determine whether the sample set is normally, log-normally or non-normally distributed. If log-normally distributed, one must determine the 90 percent UCL on the log-normal mean. If non-normally distributed, but sufficiently symmetrical, calculate the 90 percent UCL on the median (50th percentile), instead of the mean. See USEPA SW846 Chapter 9 and the USEPA Guidance for Data Quality Assessment for a discussion of waste characterization and statistical analysis; in

⁴⁶ See USEPA SW846 methods, EPA Method 1312 (Synthetic Precipitation Leach Procedure – SPLP), available online at: <http://www.epa.gov/osw/hazard/testmethods/sw846/online/>.

particular the guidance on testing for normality, calculating a 90 percent UCL, and handling of non-detected values.⁴⁷

- iii. For those Calif. Code Regs. title 22 metals that have been analyzed in accordance with section C.4.d.i of this waiver, must be equal to or less than the concentrations provided in Table No. 2, section C.4.d of this waiver.
- iv. An Inert Waste Certification must be filed with the San Diego Water Board by the owner/operator of the export site within 30 days following completion of export activities. The Inert Waste Certification must include the following information:
 - (A) Generator name and contact information;
 - (B) Export site location, owner name and contact information;
 - (C) Map of the export site showing the location of the excavation, borings, stockpiles, and/or samples collected;
 - (D) Approximate volume of inert waste soil exported from the site;
 - (E) Description of BMPs implemented to prevent discharge of waste soil off the export site during excavation and transport;
 - (F) Laboratory analytical data, including number of samples collected, USEPA approved analytical methods used, the 90 percent UCL of the data for the contaminants of concern, and name of certified environmental analytical laboratory that performed the analysis; and
 - (G) The export site owner, principal executive officer, or authorized representative, and a California licensed professional engineer or geologist must sign and certify the Inert Waste Certification. The Inert Waste Certification must include the statement, *“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”*

⁴⁷ See U.S. Environmental Protection Agency, Office of Solid Waste. 1986. Test Methods for Evaluating Solid Waste, Physical/Chemical Methods; <http://www.epa.gov/epaoswer/hazwaste/test/pdfs/chap9.pdf>; and USEPA 2002, RCRA Waste Sampling Draft Technical Guidance, EPA 530-D-02-002 (Appendix F). Office of Solid Waste.

Table No. 2: Tier 1 Soil Screening Levels

Calif. Code Regs Title 22 Metals	Inert Waste Target ^a (mg/kg)	Residential ESL ^b (mg/kg)	e-PRG ^c (mg/kg)	Background ^d Mean (mg/kg)	Tier 1 SSL ^{e,f} (mg/kg)
Antimony	6.0	31.29	5.0	0.60	5.0
Arsenic	50	0.07	9.9	3.5	3.5
Barium	1,000	15,305.24	283	509	509
Beryllium	4.0	154	10	1.28	4.0
Cadmium	5.0	39	4.0	0.36	4.0
Chromium, Total	50	NA	0.4	122	122
Chromium, Hexavalent	50	0.3	NA	NA	0.3
Cobalt	NA	23.4	20	14.9	20
Copper	1,300	3,128.57	60	28.7	60
Lead	15	80	40.5	23.9	23.9
Mercury	2.0	12.51	0.00051	0.26	0.26
Molybdenum	NA	391.07	2.0	1.3	2.0
Nickel	100	824.63	30	57	57
Selenium	50	391.07	0.21	0.058	0.21
Silver	NA	391.07	2.0	0.80	2.0
Thallium	2.0	0.78	1.0	0.56	0.78
Vanadium	50	393.11	2.0	112	112
Zinc	NA	23,464.29	8.5	149	149

- a. Calculated using Central Valley Water Board Designated Level Methodology, where the Water Quality Goal is the lower value of the federal or State drinking water primary maximum contaminant level, the Environmental Attenuation Factor is 10, and the Leachability Factor is 100.
- b. Values taken from the San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (ESLs). Based on Residential land use, sand scenario soil type, and shallow soil exposure depth (Feb.2016 Rev.3).
- c. Taken from Oak Ridge National Laboratory's *Preliminary Remediation Goals for Ecological Endpoints* (Efroymsen, et al 1997).
- d. Taken from Kearney Foundation of Soil Science Division of Agriculture and Natural Resources, University of California *Background Concentrations of Trace and Major Elements in California Soil – Special Report* (Bradford, et al 1996).
- e. Tier 1 Soil Screening Level for inert waste soils that can be reused without restriction. Tier 1 SSLs selected based on the following steps: Step 1) Select lower value of Residential ESLs or e-PRG; Step 2) Select lower value of Step 1 or Inert Waste Target; and, Step 3) Select higher value of Step 2 and Arithmetic Mean Background.
- f. These values are not intended to provide cleanup levels for soil remaining on-site. Such values should be established based on the contaminants of concern, the site use, and in conjunction with the regulatory agency providing oversight for the remediation effort.

- e. For reuse of ***Tier 2 inert waste soils (only for commercial or industrial development purposes within the San Diego Region)***, the following conditions apply:
- i. Soil should not contain any detectable concentrations of contaminants other than Calif. Code Regs. title 22 metals, or leachable concentrations of constituents that do not qualify under the definition of “inert waste” specified in Calif. Code Regs. title 27, section 20230. If analytical results indicate leachable detectable concentrations (see sections C.4.c.v and C.4.c.vi of this waiver) of constituents, the NOI must also explain why the wastes qualify as inert waste under Calif. Code Regs. title 27, section 20230.
 - ii. Samples must be analyzed by an SW846 method using the reporting limits set forth in Table No. 3 below. From these data, the 90 percent UCL must be determined. Prior to calculating the 90 percent UCL, the discharger must determine whether the sample set is normally, log-normally or non-normally distributed. If log-normally distributed, one must determine the 90 percent UCL on the log-normal mean. If non-normally distributed, but sufficiently symmetrical, calculate the 90 percent UCL on the median (50th percentile), instead of the mean. See USEPA SW846 Chapter 9 and the USEPA Guidance for Data Quality Assessment for a discussion of waste characterization and statistical analysis; in particular the guidance on testing for normality, calculating a 90 percent UCL, and handling of non-detected values.⁴⁸
 - iii. For those Calif. Code Regs. title 22 metals that have been analyzed in accordance with section C.4.e.i of this waiver, must be equal to or less than the concentrations provided in Table No. 3, section C.4.e of this waiver.

⁴⁸ See U.S. Environmental Protection Agency, Office of Solid Waste. 1986. Test Methods for Evaluating Solid Waste, Physical/Chemical Methods; <http://www.epa.gov/epaoswer/hazwaste/test/pdfs/chap9.pdf>; and USEPA 2002, RCRA Waste Sampling Draft Technical Guidance, EPA 530-D-02-002 (Appendix F). Office of Solid Waste.

Table No. 3: Tier 2 Soil Screening Levels

Pollutant	Inert Waste Target ^a (mg/kg)	Commercial /Industrial Soil ESL ^b (mg/kg)	Background ^c		TTLC ^d	Tier 2 SSL ^{e,f} (mg/kg)
			Max (mg/kg)	½ Max (mg/kg)		
Antimony	6.0	467.2	1.95	0.98	500	6.0
Arsenic	50	0.0305	11	5.5	500	5.5
Barium	1,000	216,610.9	1,400	700	10,000	1,000
Beryllium	4.0	2,212.07	2.7	1.4	75	4
Cadmium	5.0	578.28	1.70	0.85	100	5
Chromium, Total	50	NA	1,579	790	2,500	790
Cobalt	NA	347	46.9	23.5	8,000	347
Copper	1,300	46,720	96.4	48.2	2,500	1,300
Lead	15	320	97.1	48.6	1,000	49
Mercury	2.0	186.69	0.90	0.45	20	2
Molybdenum	NA	5,840	9.6	4.8	3,500	3,500*
Nickel	100	11,132.85	509	255	2,000	255
Selenium	50	5,839.71	0.43	0.22	100	50
Silver	NA	5,839.71	8.30	4.2	500	500*
Thallium	2.0	11.68	1.10	0.55	700	2
Vanadium	50	5,829.11	288	144	2,400	144
Zinc	NA	350,400	236	118	5,000	5,000*

- * None of the analytical results from any samples collected to characterize the waste soil can exceed the Tier 2 Soil Screening Level for this pollutant.
- a- Calculated using Central Valley Water Board Designated Level Methodology, where the Water Quality Goal is the lower value of the Federal or State drinking water primary maximum contaminant level, the Environmental Attenuation Factor is 10, and the Leachability Factor is 100.
- b- Values taken from the San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (ESLs). Based on Commercial/Industrial land use, sand scenario soil type, and shallow soil exposure depth (Feb.2016 Rev.3).
- c- Taken from Kearney Foundation of Soil Science Division of Agriculture and Natural Resources, University of California *Background Concentrations of Trace and Major Elements in California Soil – Special Report* (Bradford, et al 1996).
- d- Total Threshold Limit Concentration. Concentrations above the TTLC would be classified as hazardous waste.
- e- Tier 2 Soil Screening Level for inert waste soils that can be reused only for commercial or industrial land use designation. Tier II SSLs selected based on the following steps: Step 1) Select lower value of Commercial/Industrial Soil ESL or Inert Waste Target; Step 2) Select higher value of Step 1 or ½ Maximum Background; and, Step 3) Select lower value of Step 2 and Total Threshold Limit Concentration.
- f- These values are not intended to provide clean up levels for soil remaining on-site. Such values should be established based on the contaminants of concern, the site use, and in conjunction with the regulatory agency providing oversight for the remediation effort.

- iv. An Inert Waste Certification must be filed with the San Diego Water Board by the owner/operator of the export site within 30 days following export and placement of the soil. The Inert Waste Certification must include the following information:

- (A) Generator name and contact information;
 - (B) Export site location, owner name and contact information;
 - (C) Approximate volume of inert waste soil exported from the site;
 - (D) Description of BMPs implemented to prevent discharges of waste soil, off the export site, during excavation and transport⁴⁹;
 - (E) Laboratory analytical data, including number of samples collected, EPA approved analytical methods used the 90 percent UCL of the data for the contaminants of concern, and name of certified environmental analytical laboratory performing analysis;
 - (F) Import site owner name and contact information, with a map of the site location showing nearby surface water bodies, approximate depth to groundwater, and BMPs that will be implemented to eliminate the potential for discharge of inert waste soils to surface waters;
 - (G) The import site owner, principal executive officer, or authorized representative must provide a signature acknowledging the receipt or planned receipt of the inert waste soil; and
 - (H) The export site owner, principal executive officer, or authorized representative, and a California licensed professional engineer or geologist must sign and certify the Inert Waste Certification. The Inert Waste Certification must include the statement, *"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*
- f. Tier 2 inert waste soil reused at commercial or industrial development sites must comply with the following conditions:
- i. Tier 2 inert waste soil may only be reused on commercial or industrial sites. It may not be reused at residential, school, or park sites.
 - ii. Tier 2 inert waste soil must be placed at least 5 feet above the highest historically known or anticipated level of groundwater.

⁴⁹ BMPs implemented to prevent storm water from contacting waste soils.

The soil that separates the inert waste soil from groundwater must have a clay content greater than 5 percent clay material or an in-situ permeability of less than 10^{-5} cm/sec.

- iii. Tier 2 inert waste must be placed at least 100 feet⁵⁰ from the nearest surface water body, and any MS4 facility.
- iv. Tier 2 inert waste must be protected against 100-year peak stream flows as defined by the County flood control agency.
- v. Tier 2 inert waste must be covered by either:
 - (A) engineered materials such as used as road base, fill beneath buildings, bridge abutments), or
 - (B) not less than 2 feet of non-contaminated, clean fill.

The cover must have a permeability of no more than 10^{-5} cm/sec. Placement of a cover on the inert waste soils must be completed with 30 days of discharging the final load of inert waste soils at the import site.

⁵⁰ Other federal, State, or local requirements may require larger setbacks. This condition does not excuse the discharger from complying with other applicable setback requirements.

Waiver No. 10 – Aerially Discharged Wastes Over land**A. Specific Findings for Aerially Discharged Wastes Over Land.**

1. This conditional waiver for Aerially Discharged Wastes Over Land (Aerial Waste Waiver) is for discharges of wastes that have been discharged aerially over land, which may be a source of pollutants that can adversely affect the quality of waters of the State.
2. The following types of discharge not regulated under WDRs may be eligible for the Aerial Waste Waiver:
 - a. Discharges of wastes related to fireworks displays over land; and
 - b. Other periodic aerial discharges of wastes to land.
3. To be eligible for the Aerial Waste Waiver, discharges must comply with both the general and specific conditions of the Aerial Waste Waiver.
4. Wastes discharged aerially over land that comply with both the general and specific waiver conditions in the Aerial Waste Waiver are not expected to pose a threat to the quality of waters of the State.

IT IS HEREBY ORDERED, that any Discharger proposing to aerially discharge waste over land, in order to meet the provisions contained in Division 7 of the Water Code, section 13269, must comply the following requirements

B. General Conditions for Aerially Discharged Wastes Over Land

1. Aerially discharged wastes cannot be discharged into any MS4s, or surface waters of the State (including ephemeral streams and vernal pools).
2. Aerially discharged wastes must not cause or threaten to cause a condition of contamination, pollution, or nuisance.
3. Aerially discharged wastes must not impact the quality of groundwater in any water wells or surface water in any drinking water reservoirs.
4. Dischargers must comply with any local, State, and federal ordinances and regulations and obtain any required approvals, permits, certifications, and/or licenses from authorized local agencies.
5. Discharger must submit a complete NOI. An NOI template is included in Attachment A of the Order.
6. Dischargers must submit technical and/or monitoring program reports when directed by the San Diego Water Board.
7. Other periodic aerial discharges of wastes to land, do not have specific discharge conditions.

APPENDIX C
NOTICE OF INTENT – ATTACHMENT A WAIVER NO. 9

SOIL MANAGEMENT PLAN
Perry's Cafe
Viewpoint Old Town
4610 Pacific Highway
San Diego, California

Farallon PN: 2949-001

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2019-0005
(ATTACHMENT A)**



NOTICE OF INTENT

TO COMPLY WITH THE CONDITIONAL WAIVERS OF WASTE DISCHARGE
REQUIREMENTS FOR LOW THREAT DISCHARGES IN THE SAN DIEGO REGION

I. PROPERTY/FACILITY INFORMATION

Property/Facility Name:			
Property/Facility Contact:			
Property/Facility Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):		Hydrologic Area/Subarea:	

II. PROPERTY/FACILITY OWNER INFORMATION

Property/Facility Owner Name:			
Property/Facility Owner Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

III. PROPERTY/FACILITY OPERATOR INFORMATION

Property/Facility Operator Name:			
Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

IV. CONDITONAL WAIVER FOR NOTICE OF INTENT

Mark (☒) the waiver proposed for the discharge:

<input type="checkbox"/> Waiver No. 1 - Discharges from on-site graywater disposal systems <input type="checkbox"/> Waiver No. 2 - Discharges of recycled water to land <input type="checkbox"/> Waiver No. 3 - "Low" threat" discharges to land <input type="checkbox"/> Waiver No. 4 - Discharges of winery waste to lined evaporation ponds wineries <input type="checkbox"/> Waiver No. 6 - Discharges from animal operations <input type="checkbox"/> Waiver No. 7 - Discharges from aquatic animal production facilities <input type="checkbox"/> Waiver No. 8 - Discharges of slurries to land <input type="checkbox"/> Waiver No. 9 - Discharges/disposal of solid wastes to land <input type="checkbox"/> Waiver No. 10 - Aerially discharged wastes over land <input type="checkbox"/> Waiver No. 11 - Discharges of emergency/disaster related wastes

V. DESCRIPTION OF DISCHARGE

Describe the discharge (i.e., source(s) of discharge, pollutants of concern, period and frequency, etc.). Use additional pages as needed. Provide a map of the property/facility if necessary.

VI. DESCRIPTION OF MANAGEMENT MEASURES/BEST MANAGEMENT PRACTICES

Describe what management measures (MMs) and best management practices (BMPs) will be implemented to minimize or eliminate the discharge of pollutants to waters of the State. Use additional pages as needed. Provide a map of the property/facility showing locations of MMs/BMPs if necessary.

VII. ADDITIONAL INFORMATION

Please provide additional information, as needed or required, about the discharge and/or how the discharger intends to comply with the waiver conditions of the waiver. Use additional pages as needed.

VIII. CERTIFICATION

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

Signature (Owner or Authorized Representative)	Date
Print Name	Title
Telephone Number	Email

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2019-0005
(ATTACHMENT B)**



**WAIVER 9: INERT WASTE CERTIFICATION
[PART 1 – ENROLLMENT]**

I. INERT WASTE SOIL GENERATOR INFORMATION

Generator Name:			
Generator Contact and Title:			
Generator Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

II. INERT WASTE SOIL EXPORT SITE INFORMATION

Export Site Property Owner Name:			
Export Site Address:			
City:	County:	State:	Zip:
Local Oversight Program Case No.:			
San Diego Water Board File No.:			

III. EXPORTED INERT WASTE SOIL INFORMATION *(Use additional pages as needed.)*

Date(s) Inert Waste Soil Exported:
Quantities of Inert Waste Soil Exported: (in cubic yards for each date of export)
<input type="checkbox"/> Mark the box (☒) if the inert waste soil was temporarily stockpiled prior to export. If the box is marked, please provide a copy of the Temporary Waste Pile Certification.
Provide a map of the export site showing the location of the nearby surface water bodies and/or water wells, excavation(s), stockpile(s), samples collected for characterization. Include approximate extent and depths of excavation(s), extent and height of stockpile(s), and depth of samples collected.

IV. DESCRIPTION OF EXPORT SITE BEST MANAGEMENT PRACTICES

Describe what management measures (MMs) and best management practices (BMPs) were implemented at the export site to minimize or eliminate the discharge of pollutants to waters of the State. Use additional pages as needed. Provide a map of the property/facility showing locations of MMs/BMPs if necessary.

--

V. INERT WASTE SOIL CHARACTERIZATION

Name of Certified Analytical Laboratory:			
Certified Analytical Laboratory Contact:			
Certified Analytical Laboratory Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Number of samples collected for characterization:			
<input type="checkbox"/> Mark the box (☒) to confirm that no samples collected to characterize waste soil as inert contained detectable concentrations of constituents other than Calif. Code title 22 metals.			
Title 22 Metals Contaminant of Concern	EPA Approved Analytical Method	90% UCL Concentration (mg/kg)*	

Use additional pages if there are additional contaminants of concern. Attach copy of laboratory analytical report.

* If molybdenum, silver, and/or zinc exceed the Tier 2 SSLs, then the waiver does not apply and a Report of Waste Discharge (ROWD) must be submitted to the San Diego Water Board.

VI. ENROLLMENT FOR REUSE OF TIER 1 or TIER 2 INERT WASTE SOIL

Mark the box (☒) next to the tier that the inert waste soil has been characterized, as supported with data provided in section VI.

<input type="checkbox"/> Tier 1 (Complete section X) Management of Tier 1 inert waste soils	<input type="checkbox"/> Tier 2 (Complete sections VII - X) Management of Tier 2 inert waste soils
---	--

VII. TIER 2 INERT WASTE SOIL IMPORT SITE INFORMATION

Import Site Property Owner Name:			
Import Site Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):		Hydrologic Area/Subarea:	
<i>Provide a map of the import site showing the location of the nearby surface water bodies and/or water wells, and approximate depth to groundwater.</i>			

VIII. DESCRIPTION OF IMPORT SITE BEST MANAGEMENT PRACTICES

Describe what management measures (MMs) and best management practices (BMPs) were implemented at the import site to minimize or eliminate the discharge of pollutants to waters of the State. Use additional pages as needed. Provide a map of the property/facility showing locations of MMs/BMPs if necessary.

IX. PROPERTY OWNER ACKNOWLEDGMENT

Mark all the boxes () to acknowledge that the applicable Tier 2 inert waste soil waiver conditions have been or will be met:

- Import site is designated for commercial or industrial land use.
- Inert waste soil placed at least 5 feet above highest historically known or anticipated level of groundwater.
- Soil that separates inert waste soil from groundwater has clay content greater than 5 percent and/or in situ permeability of less than 10^{-5} cm/sec.
- Inert waste soil placed at least 100 feet from the nearest surface water body.
- Inert waste soil is protected against 100-year peak storm flows as defined by the county flood control agency.
- Inert waste soil covered by either: 1) engineered materials (e.g. used as road base, fill beneath buildings, bridge abutments), or 2) not less than 2 feet of non-contaminated, clean fill. The cover has a permeability of no more than 10^{-5} cm/sec.
- Placement of a cover on the inert waste soils completed within 30 days of discharging the final load of inert waste soils at the import site.

"I acknowledge the receipt or planned receipt of the waste soil described in sections V and VI and that the soil will be managed pursuant to the restrictions set forth in Solid Waste Waiver"

Signature (Owner or Authorized Representative)

Date

Print Name

Title

X. GENERATOR AND CONSULTANT CERTIFICATION

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

Print Name (Generator)

Print Name (Consultant)

Signature (Generator)

Signature (Consultant)

Title (Generator)

Title and Professional Registration No.
(Consultant)

Date

Date

APPENDIX D
INERT WASTE CERTIFICATION – ATTACHMENT B WAIVER NO. 9

SOIL MANAGEMENT PLAN
Perry's Cafe
Viewpoint Old Town
4610 Pacific Highway
San Diego, California

Farallon PN: 2949-001

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2019-0005
(ATTACHMENT B)**



**WAIVER 9: INERT WASTE CERTIFICATION
[PART 2 – TERMINATION]**

I. FINAL WASTE DISPOSAL INFORMATION

Final Disposition of Waste:	<input type="checkbox"/> Off-site/Landfill Disposal	<input type="checkbox"/> On-site Reuse/Disposal
	<input type="checkbox"/> Off-site Reuse/Disposal	<input type="checkbox"/> Other: _____
Property Owner/Discharger Name:		
Property Owner/Discharger Contact and Title:		
Property Owner/Discharger Mailing Address:		
City:	County:	State: Zip:
Telephone:	Fax:	Email:
Assessor Parcel Number(s):		Hydrologic Area/Subarea:
Date(s) Waste Disposed:		
Quantity of Waste Disposed (in cubic yards for each disposal date):		
Disposal Location(s) (for each disposal date):		

II. FINAL DISPOSAL CERTIFICATION

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Signature (Owner or Authorized Representative)	Date
Print Name	Title

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2019-0005
(ATTACHMENT C)
WAIVER 9: TEMPORARY WASTE PILE CERTIFICATION
[PART 1 – GENERAL INFORMATION]



I. TEMPORARY WASTE PILE GENERATOR INFORMATION

Generator Name:			
Generator Contact and Title:			
Generator Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

II. WASTE INFORMATION

Local Oversight Program Case No.:											
San Diego Water Board File No.:											
Waste Type: (check all that apply)	<input type="checkbox"/> Gasoline										
	<input type="checkbox"/> Diesel										
	<input type="checkbox"/> Other Petroleum Hydrocarbons										
	<input type="checkbox"/> Other Impacted Dredged Spoils										
	<input type="checkbox"/> Other:										
Contaminant Concentrations <i>(Use additional pages as needed):</i>											
Mean		Mean+80%CL		Mean		Mean+80%CL		Mean		Mean+80%CL	
Mean		Mean+80%CL		Mean		Mean+80%CL		Mean		Mean+80%CL	
Mean		Mean+80%CL		Mean		Mean+80%CL		Mean		Mean+80%CL	
Waste Pile Quantity (yd ³):											
Description of Containment Method:											

III. TEMPORARY WASTE PILE GENERATOR INFORMATION

Site Property Owner Name:			
Site Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):		Hydrologic Area/Subarea:	

IV. PROPERTY OWNER ACKNOWLEDGMENT

"I hereby acknowledge receipt of the waste soil described in section II of this Temporary Waste Pile Certification, and that I have reviewed any associated reports. By signing this form, I acknowledge that the Generator of this waste has certified that all Solid Waste Waiver conditions applicable to the temporary waste piles have been met."

_____ Signature (Owner or Authorized Representative)	_____ Date
_____ Print Name	_____ Title

V. GENERATOR CERTIFICATION

"I hereby certify that the information provided regarding soil characterization is a complete and accurate representation of the subject soil, and that the soil is not hazardous waste as defined by California Code of Regulations Title 22 and by the U.S. Environmental Protection Agency (Code of Federal Regulations Title 40), and that all Solid Waste Waiver conditions applicable to the temporary waste piles have been met."

_____ Generator Signature	_____ Date
_____ Print Name	_____ Title

APPENDIX E
TEMPORARY WASTE PILE CERTIFICATION – ATTACHMENT C
WAIVER NO. 9

SOIL MANAGEMENT PLAN
Perry's Cafe
Viewpoint Old Town
4610 Pacific Highway
San Diego, California

Farallon PN: 2949-001

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2019-0005
(ATTACHMENT C)
WAIVER 9: TEMPORARY WASTE PILE CERTIFICATION
[PART 1 – GENERAL INFORMATION]



I. TEMPORARY WASTE PILE GENERATOR INFORMATION

Generator Name:			
Generator Contact and Title:			
Generator Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

II. WASTE INFORMATION

Local Oversight Program Case No.:							
San Diego Water Board File No.:							
Waste Type: (check all that apply)	<input type="checkbox"/> Gasoline						
	<input type="checkbox"/> Diesel						
	<input type="checkbox"/> Other Petroleum Hydrocarbons						
	<input type="checkbox"/> Other Impacted Dredged Spoils						
	<input type="checkbox"/> Other:						
Contaminant Concentrations <i>(Use additional pages as needed):</i>							
Mean		Mean+80%CL		Mean		Mean+80%CL	
Mean		Mean+80%CL		Mean		Mean+80%CL	
Mean		Mean+80%CL		Mean		Mean+80%CL	
Waste Pile Quantity (yd ³):							
Description of Containment Method:							

III. TEMPORARY WASTE PILE GENERATOR INFORMATION

Site Property Owner Name:			
Site Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):	Hydrologic Area/Subarea:		

IV. PROPERTY OWNER ACKNOWLEDGMENT

"I hereby acknowledge receipt of the waste soil described in section II of this Temporary Waste Pile Certification, and that I have reviewed any associated reports. By signing this form, I acknowledge that the Generator of this waste has certified that all Solid Waste Waiver conditions applicable to the temporary waste piles have been met."

Signature (Owner or Authorized Representative)

Date

Print Name

Title

V. GENERATOR CERTIFICATION

"I hereby certify that the information provided regarding soil characterization is a complete and accurate representation of the subject soil, and that the soil is not hazardous waste as defined by California Code of Regulations Title 22 and by the U.S. Environmental Protection Agency (Code of Federal Regulations Title 40), and that all Solid Waste Waiver conditions applicable to the temporary waste piles have been met."

Generator Signature

Date

Print Name

Title

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2019-0005
(ATTACHMENT C)**



**WAIVER 9: TEMPORARY WASTE PILE CERTIFICATION
[PART 2 – FINAL DISPOSAL INFORMATION]**

I. TEMPORARY WASTE PILE GENERATOR INFORMATION

Final Disposition of Waste:			
<input type="checkbox"/> Off-site/Landfill Disposal	<input type="checkbox"/> On-site Reuse/Disposal		
<input type="checkbox"/> Off-site Reuse/Disposal	<input type="checkbox"/> Other:		
Property Owner/Discharger Name:			
Property Owner/Discharger Contact and Title:			
Property Owner/Discharger Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):		Hydrologic Area/Subarea:	
Date(s) Waste Disposed:			
Quantity of Waste Disposed: (in cubic yards for each disposal date)			
Disposal Location(s): (for each disposal date)			

VI. FINAL DISPOSAL CERTIFICATION

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

Signature (Owner or Authorized Representative)

Date

Print Name

Title

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2019-0005
(ATTACHMENT D)**



**WAIVER 11:
NOTICE OF TERMINATION**

I. PROPERTY/FACILITY INFORMATION

Property/Facility Name:			
Property/Facility Contact:			
Property/Facility Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):		Hydrologic Area/Subarea:	

II. PROPERTY/FACILITY OWNER INFORMATION

Property/Facility Owner Name:			
Property/Facility Owner Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

III. DISCHARGE AND DREDGE INFORMATION

Date(s) of Discharge and Dredge Activities:				
Did any activities occur within wetlands?				
Did any activities create an impoundment? (If "yes," describe how adverse effects to aquatic system were minimized)				
Quantity of Discharge: (Indicate in acres and linear feet the extent affected and identify the effects as permanent and/or temporary for discharge.)				
	Permanent Effects		Temporary Effects	
Wetlands:	Linear feet:	Acres:	Linear feet:	Acres:
Non-wetland waters:	Linear feet:	Acres:	Linear feet:	Acres:
Quantity of Dredging (cubic yards): Provide a description of the types of materials dredged and disposal location:				

IV. COMPENSATORY MITIGATION INFORMATION

Were Temporary Fills Restored?
 If “no,” please describe rationale:

Was Compensatory Mitigation Provided?
 If “no,” please describe rationale:

If “yes,” attach (1) a map clearly identifying the mitigation location areas, and (2) contact information for the owner/operator of the mitigation area property.

Also indicate below in acres and linear feet the total quantity of each water body that was created, restored, or enhance, for purposes of providing compensatory mitigation. Use additional pages if necessary.

	Created (acres/linear feet)	Restored (acres/linear feet)	Enhanced (acres/linear feet)
Wetland			
Non-Wetland			

V. COMPENSATORY MITIGATION INFORMATION

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

 Signature (Owner or Authorized Representative)

 Date

 Print Name

 Title