

MEMO TO FILE

2005 UCR LONG RANGE DEVELOPMENT PLAN

Amendment #1

July 26, 2006

Regarding: Deed restrictions on the Pesticide Pits area

This item was approved by the Office of the President as a "Covenant to Restrict Use of Property – Environmental Restriction" and includes an "Agreement/Operations and Maintenance" to be the responsibility of the Director of UCR Environmental Health and Safety, however this restriction has been noted as Amendment #1 to the 2005 UCR Long Range Development Plan (LRDP) and will be included as a land use designation in further LRDP Land Use Maps. The Property is approximately 3.25 acres in size and is located within the Agricultural Operations area of the West Campus, south of Martin Luther King Boulevard

With the recordation of the Covenant to Restrict Use of Property which took place on July 26, 2006, this amendment is complete.

The following uses and activities are restricted on the site:

Prohibited Uses - The Property shall not be used for any of the following purposes:

- A residence, including any mobile home or factory-built housing
- A hospital for humans
- Indoor classroom for persons under 18 years of age
- A day care center for children

Prohibited Activities - The following activities shall not be conducted at the Property:

- Raising of food for human or animal consumption
- Drilling for water, oil, or gas leaving exposed soil at the site which may migrate to other locations by weather or human action
- Extraction of groundwater for purposes other than site remediation or construction dewatering
- Classroom activities for persons under the age of 18

As the site is within the 100 year flood plain for the Box Springs Arroyo, additional restrictions apply pertinent to the flood plain and would entail additional review.

Attached: LRDP Land Use Map, Amendment #1
Covenant to Restrict Use of Property
Agreement/Operation and Maintenance

Signed: _____

Juanita W. Bullock
Campus Physical Planner

Date: _____

7/26/06

April 10, 2006

Office of the President

Drafted by: J. Bullock
Coordinated with: M. Souder
L. Hjulberg
Reviewed by:

ITEM FOR ACTION

2005 UCR LONG RANGE DEVELOPMENT PLAN AMENDMENT #1 FOR LAND USE RESTRICTION FOR PESTICIDE PITS SITE

It is recommended that, upon review and consideration of the environmental consequences of the proposed land use restriction as indicated in the "Covenant to Restrict Use of Property" (covenant) document for the University of California, Riverside (UCR) Pesticide Pit site, the Senior Vice President will:

- (1) Approve the Land Use Restriction Overlay Map (see Figure 1), and
- (2) Amend the UCR 2005 Long Range Development Plan to include the "Covenant to Restrict Use of Property", the document identifying the land use restrictions on the Pesticide Pits site.

Introduction:

The Pesticide Pit area (Site) encompasses an area of approximately 3.25 acres and is identified as Riverside County Assessor's Parcel No. 235-090-008-5. It is located within the UCR agricultural research and teaching fields south of Martin Luther King Jr. Boulevard approximately $\frac{3}{4}$ of a mile southwest of the UCR East Campus academic core. The academic core is located on the east side of the I-215/S R 60 freeway; the Site is on the west side of the freeway. Past practices for disposal of toxic substances used in agricultural and other research by the university resulted in burial of such on the Site. The Site was identified as a California Superfund site. Investigation of type and impacts of the toxic substances disposed of and subsequent remediation activities at the Site have been implemented with Department of Toxic Substances Control, Region 4 (DTSC) guidance and approval under an enforceable agreement dated November 6, 1989.

After remediation of the toxic substances which included removal and/or remediation of contaminated soil, a "Site Remediation and Closure Report" was prepared in accordance with the "Remedial Action Plan" (RAP) for the project and other supporting documents. DTSC circulated the draft RAP, which contained a Final Health Risk Assessment, as well as a draft Negative Declaration pursuant to the California Environmental Quality Act. The RAP

required that a deed restriction on certain uses would be required as part of the Site remediation. Per the RAP, DTSC and UCR prepared a covenant which limits development of certain uses on the Site. The limits or restrictions are the subject of the Amendment #1 - "Land Use Restriction Overlay" to the 2005 UCR LRDP Land Use Map and accompanying text within the 2005 UCR LRDP document.

Background

Agricultural research has been conducted at university laboratories, greenhouses, and small field plots since the Citrus Experiment Station was developed on the current campus site three miles east of downtown Riverside in 1917. Prior to 1972, some of the waste generated during research was discarded in the pesticide pits as identified above. There were and are no written records of the disposal practices that took place at the Site, however, information regarding the type and location of waste buried at the site was gathered based on interviews with UCR employees with knowledge of the Site. Disposal activities at the Site reportedly consisted of the excavation and filling of various pits and trenches with a variety of organic and inorganic wastes, including agricultural plant wastes, plant containers, pesticides, chemical containers, and miscellaneous small laboratory apparatus-type equipment. An area located in the southwestern portion of the Site was reportedly used to burn agricultural green waste (e.g., trees, brush, and other plant material). The Site lies within the 100-year flood plain as defined by the Federal Emergency Management Agency (FEMA) which as additional land use restrictions (see Figure 2).

Under the regulatory oversight of the California Environmental Protection Agency, Department of Toxic Substances Control, Region 4 (DTSC) and overall direction of UCR's Environmental Health and Safety Department, the Site underwent remediation through removal of containers and soil treatment of the Site from about June, 1997 until February 2002.

Land Use Amendment

The DTSC has determined that the covenant is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of hazardous materials as defined in Health and Safety Code ("H&SC") Section 25260. The covenant will be recorded on the parcel with the County of Riverside pertinent to the Site (attached). It has been developed pursuant to Civil Code Section 1471(c) General Provisions within the covenant provide the land use restrictions and requirements pertaining to the Site. They are as follows:

- Restrictions to Run with the Land
- Binding upon Owners/Occupants
- Written Notice of the Presence of Hazardous Substances
- Incorporation into Deeds and Leases
- Conveyance of Property – Notification to DTSC
- Prohibited Uses
 - Residential (including mobile home, factory-built or constructed)
 - Hospital for humans
 - Indoor classroom for persons under 18 years of age
 - Day care center for children

- Soil Management Requirements
- Prohibited Activities
 - Raising food for human or animal consumption
 - Drilling for water, oil, or gas leaving exposed soil at the site which may migrate to other locations by weather or human action
 - Extraction of groundwater for purposes other than site remediation or construction dewatering
 - Classroom activities for persons under the age of 18
- Access for DTSC
- Access for Implementing Operations and Maintenance
- Non-Interference with Groundwater Monitoring Wells

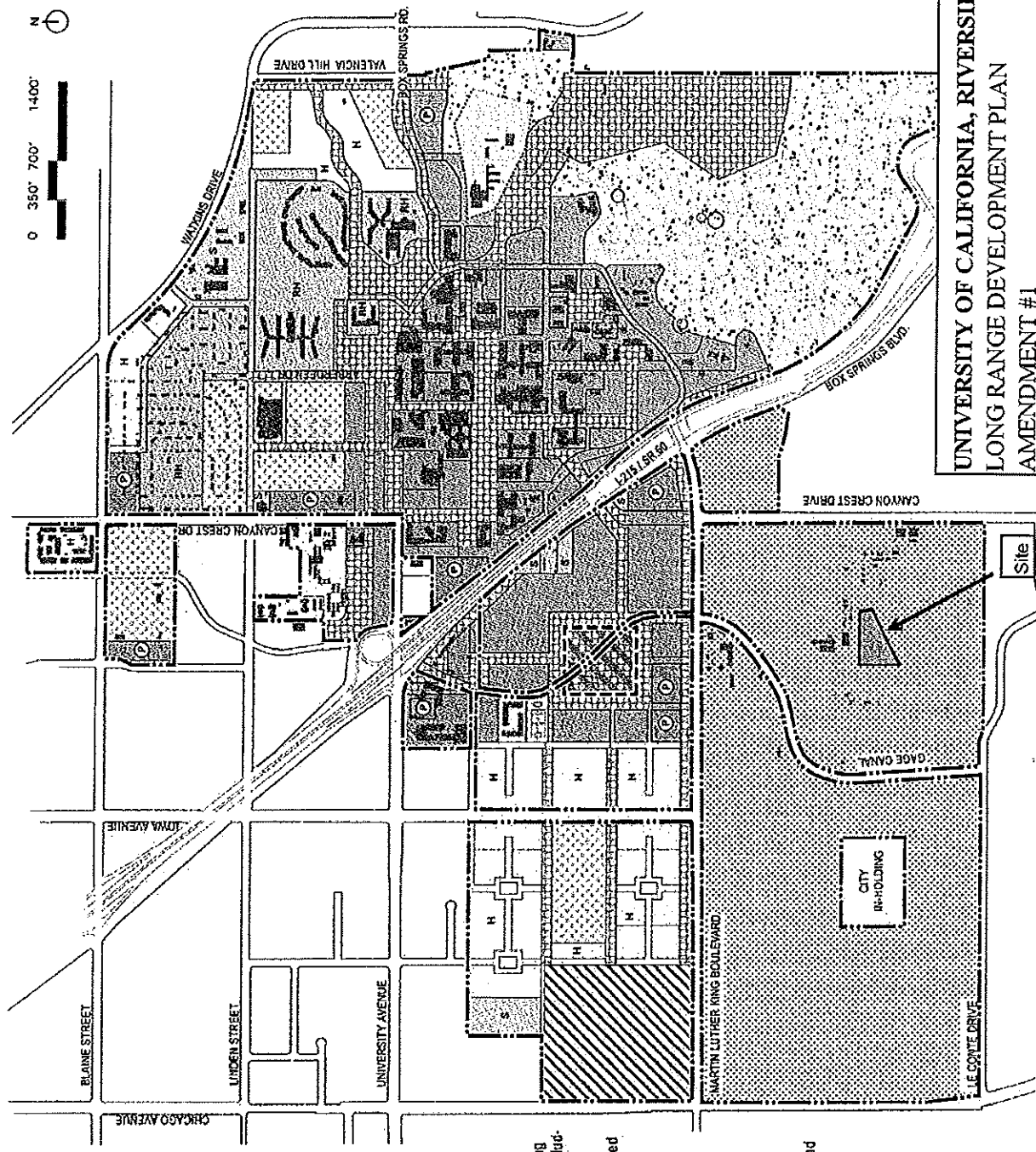
Environmental Impact Summary

A Negative Declaration was adopted for the remediation project which included the requirement for the covenant. The recordation of the covenant and Amendment #1 to the 2005 UCR LRDP as a Land Use Map Overlay and addition to the LRDP text is considered to be a discretionary act and is therefore subject to the California Environmental Quality Act (CEQA). However, they fall within the Section 15305 of the Categorical Exemption Section of CEQA under Class 5 – Minor alterations in land use limitations.

Findings

Recordation of the “Covenant to Restrict Use of Property”, the creation of an overlay on the LRDP Land Use Map as Amendment #1 to indicate the area of limitation, and the addition of the covenant to the 2005 UCR LRDP to explain the restrictions have been determined not to have a significant effect on the environment and shall, therefore be exempt from the provisions of CEQA. No further environmental documentation is required.

Attachments: Figure 1 - 2005 UCR LRDP Land Use Map Overlay – Amendment #1
 Figure 2 – FEMA Map
 Covenant to Restrict Use of Property (Environmental Restriction)
 Environmental Impact Classification
 Vicinity Map
 Survey Map Showing Limits of Subject Area with Line



UNIVERSITY OF CALIFORNIA, RIVERSIDE
LONG RANGE DEVELOPMENT PLAN
AMENDMENT #1
 Land Use Restriction for Pesticide Pit Area

- Academic
- Special Academic Building Area
- Family, Apartment Housing and Related Support (Including Child Care)
- Residence Hall and Related Support
- Athletics and Recreation
- Open Space
- Open Space Reserve
- Campus Reserve
- Agricultural, Teaching, and Research Fields
- Non-Institutional Agencies
- Campus Support
- Parking
- Campus Boundary

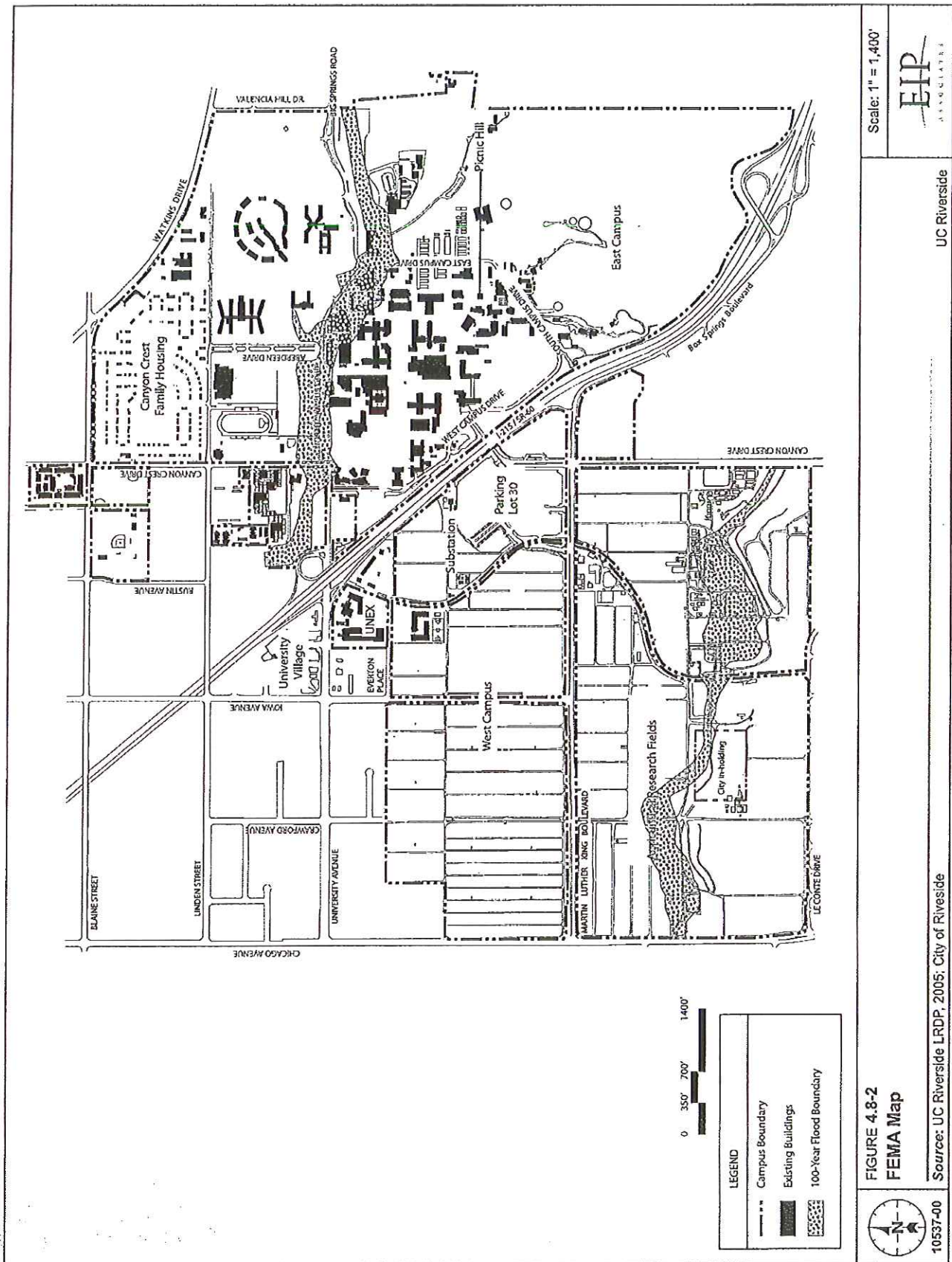
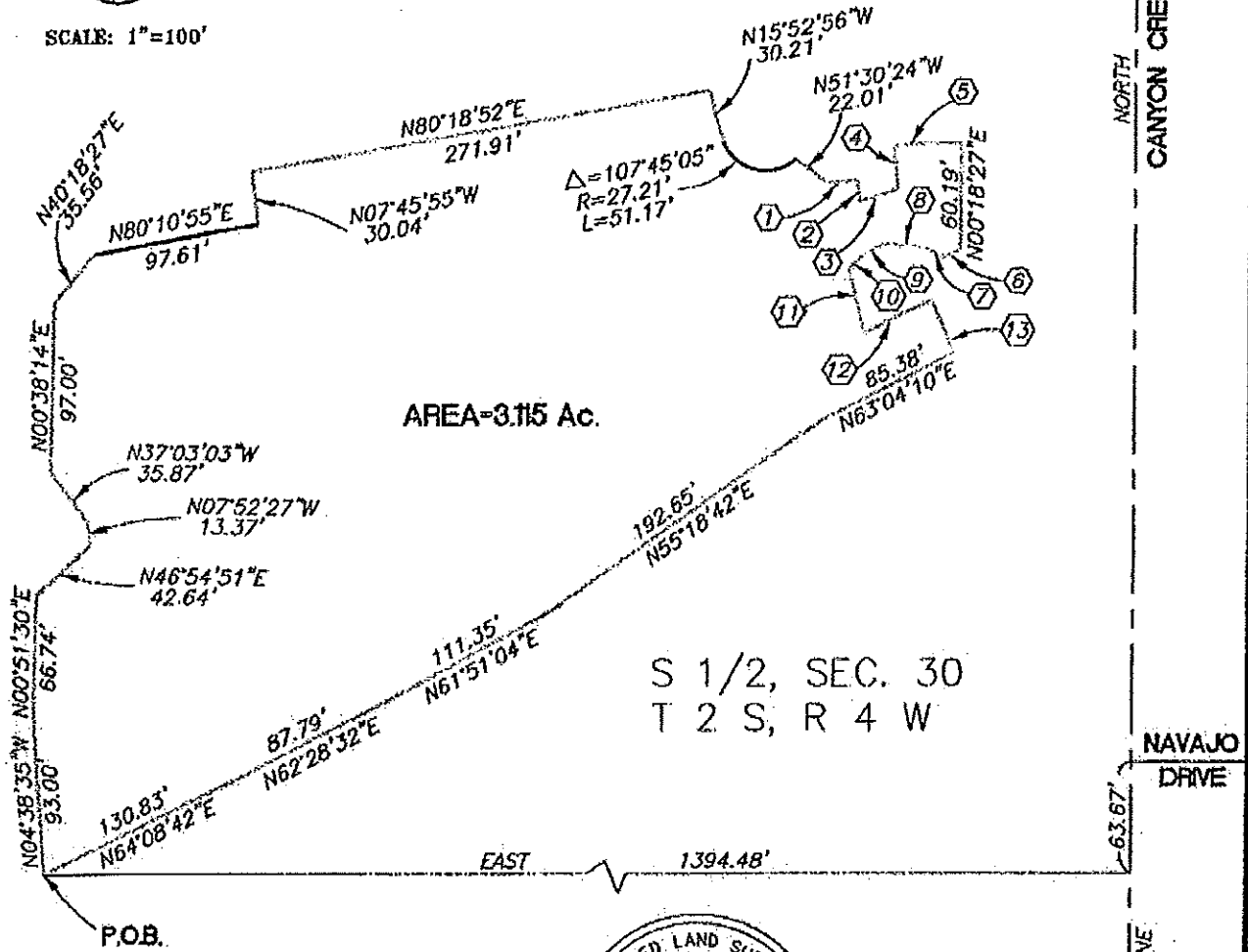


EXHIBIT "A"



SCALE: 1"=100'



AREA=3.115 Ac.

S 1/2, SEC. 30
T 2 S, R 4 W



LINE DATA:

No.	BEARING	DISTANCE
1	N83°27'42\"E	17.80'
2	N04°26'26\"W	12.56'
3	N73°11'47\"E	23.62'
4	N05°35'30\"W	25.10'
5	N87°51'27\"E	39.31'
6	N70°05'14\"E	11.64'
7	N60°42'19\"W	12.10'
8	N87°09'05\"W	23.20'
9	N61°29'56\"E	18.75'
10	N29°34'49\"E	6.49'
11	N12°56'29\"W	36.63'
12	N64°51'57\"E	43.74'
13	N24°16'31\"W	32.47'

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CIVIL ENGINEERING • LAND SURVEYING
1485 CRESTVIEW ROAD, REDLANDS, CA. 92374

Tel (909) 799-6797

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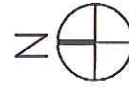
S.E. COR.
SEC. 30

SECTION LINE

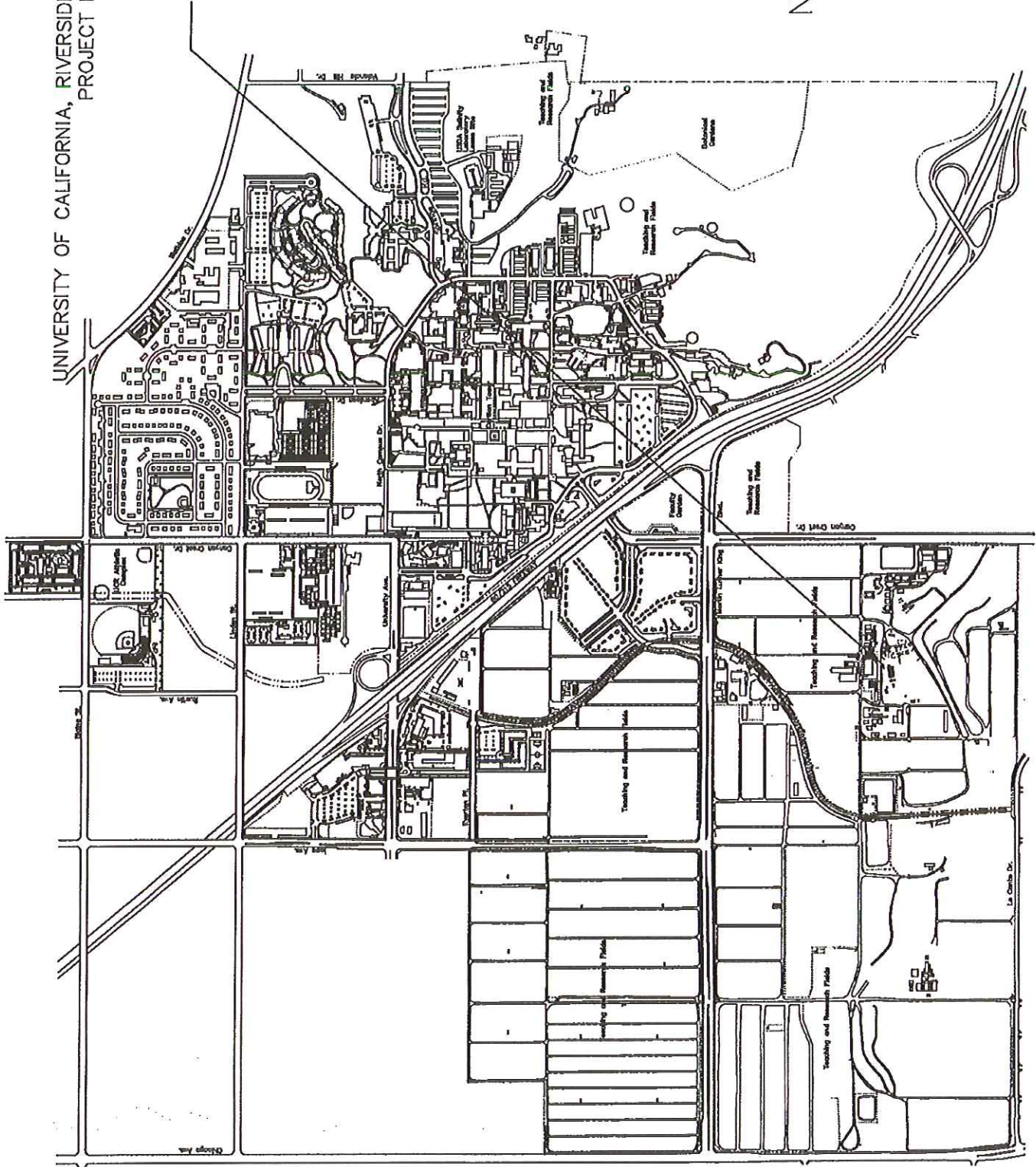
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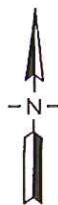
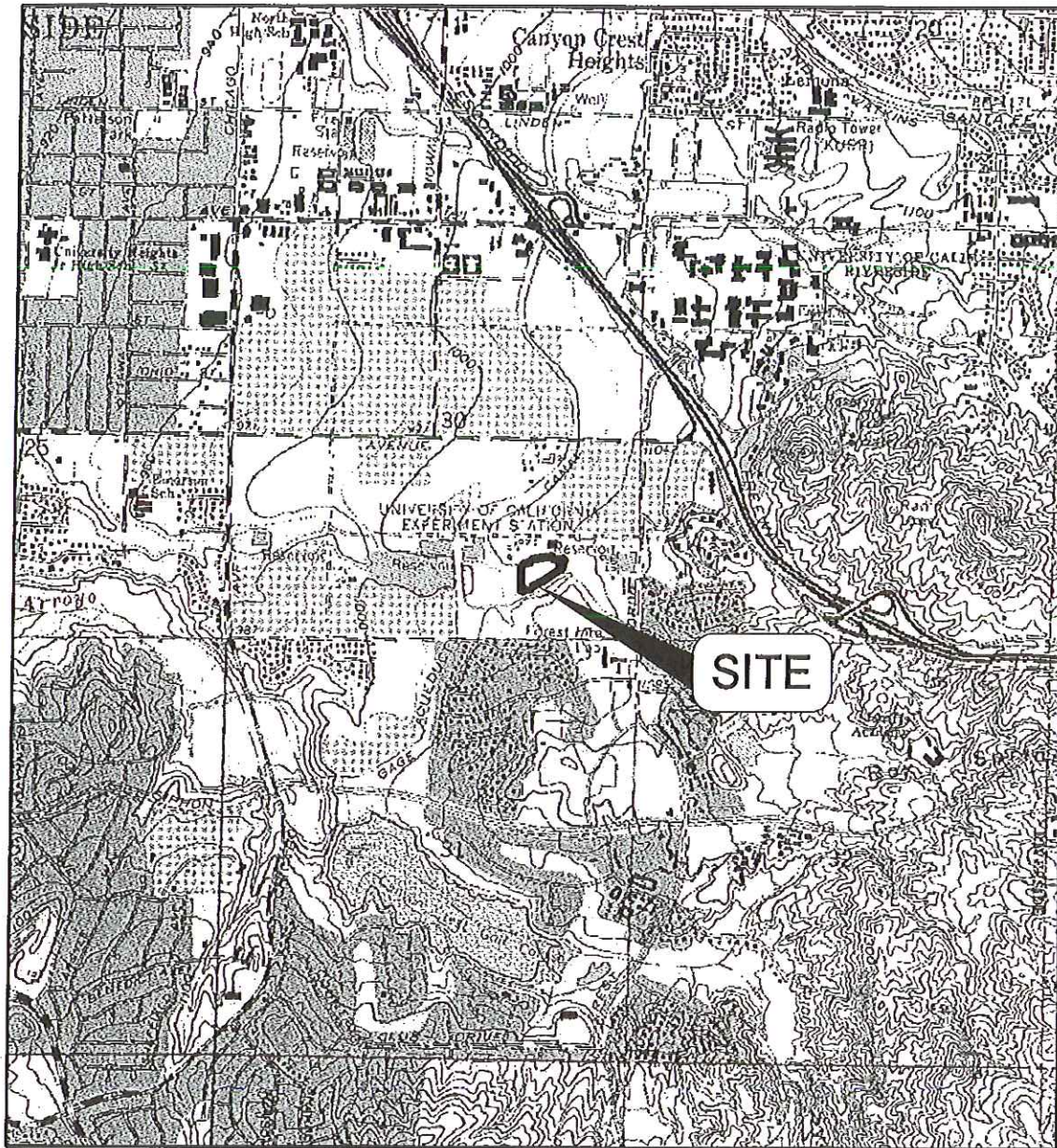
UNIVERSITY OF CALIFORNIA, RIVERSIDE PESTICIDE PITS
PROJECT NUMBER: EHS 15

PROJECT SITE



No Scale





0 1000 2000

APPROXIMATE SCALE IN FEET

BASEMAP MODIFIED FROM U.S.G.S. 7.5 MINUTE QUADRANGLE
MAP RIVERSIDE EAST 1987 CALIFORNIA. PHOTO-REVISED 1980.



SITE LOCATION MAP

UC RIVERSIDE PESTICIDE WASTE PITS
Riverside, California

Figure By
pah

Project No.
4528.002

Date
8/31/05

Figure
1