

Exhibit I  
Letter from  
Regional Water Quality Control Board

Corral de Tierra Retail Village  
(OMNI Resources, LLC)  
PLN110077

Board of Supervisors  
November 8, 2011



Matthew Rodriguez  
Secretary for  
Environmental Protection

## California Regional Water Quality Control Board Central Coast Region

895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906  
(805) 549-3147 • FAX (805) 543-0397  
<http://www.waterboards.ca.gov/centralcoast>



Edmund G. Brown Jr.  
Governor

# EXHIBIT I

September 21, 2011

Mr. William R. Phelps  
7 Corral De Tierra  
Salinas, CA 93908  
[eric@cdtrealty.com](mailto:eric@cdtrealty.com)

Dear Mr. Phelps:

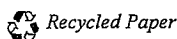
### **UST: 1 CORRAL DE TIERRA ROAD, SALINAS, MONTEREY COUNTY, SOIL AND GROUNDWATER INVESTIGATION REPORT**

At the request of the Monterey County Department of Health, Environmental Health Bureau, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff has reviewed your August 31, 2011 *Soil and Groundwater Investigation Report*, prepared by CapRock Geology, Inc. (CapRock). In the investigation, CapRock found the gasoline oxygenate methyl tertiary butyl ether (MTBE) present in soil boring B-3, at concentrations of 79.5 and 550 micrograms per kilogram (ug/kg) at depths of 16.5 and 21.5 feet below ground surface, respectively. The soil concentrations of MTBE exceed the cleanup goal of 50 ug/kg.

Monterey County is the lead agency for soil investigation and cleanup, and will provide you with further instructions for addressing the contaminants in soil. MTBE was also found in groundwater at boring B-3, at a concentration of 2550 micrograms per liter (ug/L). MTBE in groundwater exceeds the cleanup goal of 5 ug/L. The Central Coast Water Board is the lead agency for groundwater investigation and cleanup. The full extent of groundwater contamination must be delineated. Since the groundwater encountered at boring B-3 was at a depth of 17 feet, and contaminated soil was found as deep as 21.5 feet, the encountered groundwater may be a perched zone of limited extent. CapRock has recommended remediation of contaminated soils, and suggests excavation may be the timeliest method. If the soil is excavated, you may determine the extent of the groundwater contamination after soil removal. If in-situ remediation of soils is your preferred alternative, you must concurrently delineate the extent of contaminated soils and groundwater. In any event, **you must submit a workplan for delineating the contaminants in groundwater to the Central Coast Water Board no later than November 20, 2011.**

All technical reports and data associated with this case must be submitted in electronic format to the State Water Resource Control Board's (State Water Board) GeoTracker database. In order to facilitate our GeoTracker review of all future reports and data, all electronic submittals (i.e. Portable Data Format (PDF) reports, Electronic Deliverable Format (EDF) data for all analytical data, Geo well data, and any other electronic data) must be uploaded in their entirety on or before any required due date. In order to maintain eligibility for the Underground Storage Tank Cleanup Fund, all current documents must be entered into GeoTracker. You may refer to

*California Environmental Protection Agency*



Mr. William R. Phelps

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the State Water Board's Policy Statement-Electronic Reporting Requirements, at their web page:

[http://www.waterboards.ca.gov/water\\_issues/programs/ust/](http://www.waterboards.ca.gov/water_issues/programs/ust/)

Failure to comply with these requirements will subject the responsible party to enforcement action by the Central Coast Water Board, including issuance of an order under Water Code Sections 13267 and/or 13304 and potential administrative civil liabilities.

If you have questions on this matter, please contact Mr. John Goni at (805) 542-4628, or [Jgoni@waterboards.ca.gov](mailto:Jgoni@waterboards.ca.gov).

Sincerely,



for  
Roger W. Briggs  
Executive Officer

cc:  
Ms. Kay Fernandez  
CapRock Geology, Inc.  
[KFERNANDEZ.CAPROCK@EARTHLINK.NET](mailto:KFERNANDEZ.CAPROCK@EARTHLINK.NET)

Mr. Bruce Welden  
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[weldenb@co.monterey.ca.us](mailto:weldenb@co.monterey.ca.us)

Ms. Bronwyn Feikert  
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[FeikertBK@co.monterey.ca.us](mailto:FeikertBK@co.monterey.ca.us)