

Guidance to Process An Environmental Land Use Covenant (LUC, Deed Restriction)

Below are the steps for completing a LUC, deed restriction for the case closure process - if you have any questions, please feel free to contact your Regional Board case manager. The processing of the LUC, deed restriction follows initial steps before the execution and recording of the document with the county assessor's office. These preliminary steps must be completed before the final review and processing of the document.

- A. The LUC, deed restriction (using the Regional Board's deed restriction template, attached) shall be completed by the responsible party, property owner, or legal counsel. Any language change to the deed restriction template must be shown using a red-lined text.
- B. Include the legal description for the subject property along with a copy of the assessor parcel number (APN) map (Exhibit A) clearly identifying the property.
- C. Once the LUC, deed restriction document is completed, the document shall be sent to the Regional Board's project manager for review. The deed restriction will be reviewed for technical accuracy and for clarification of any language change with Regional Board's legal counsel.
- D. The Regional Board will notify the property's representative (responsible party, property owner, or legal counsel) upon the verification and concurrence of the LUC, deed restriction changes. The property's representative will sign and have the document notarized. The original signed LUC, deed restriction is provided to the Regional Board case manager.
- E. Upon receipt and review of the LUC, deed restriction, the Regional Board Executive Officer will sign and notarize the document and provide it to the property representative (responsible party, property owner, or legal counsel).
- F. The property representative (responsible party, property owner, or legal counsel) then records the LUC, deed restriction with the county assessor's office and obtains a stamped copy of the recorded original.
- G. The property representative (responsible party, property owner, or legal counsel) provides a copy of the recorded deed restriction to the Regional Board office.
- H. Upon receipt, the Regional Board will finalize and issue the closure letter for the Site

Attachment - Current deed restriction template