

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

WATER QUALITY INVESTIGATION ORDER NO. R9-2006-0044

**CITY OF SAN MARCOS
BRADLEY PARK/OLD LINDA VISTA LANDFILL
SAN DIEGO COUNTY**

**THE CITY OF SAN MARCOS ADMINISTRATIVE APPEAL OF
WATER QUALITY INVESTIGATION ORDER NO. 29-2006-0044**

EXHIBITS

February 09, 2007

Opper & Varco LLP
Richard G. Opper, Bar No. 72163
Linda C. Beresford, Bar No. 199145
J. Michael Sowinski Jr., Bar No. 244581
225 Broadway, Suite 1900
San Diego, California 92101
Telephone: (619) 231-5858
Facsimile: (619) 231-5853

Attorneys for Petitioners The City of San Marcos

EXHIBIT 1



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

TO: Board of Supervisors

DATE: September 18, 1958

FROM: Planning Commission

SUBJECT: Conversion of San Marcos Refuse Disposal Site to County Park -
Ref: 7-29-58 (65).

1. Reference is made to your letter of August 8, 1958, requesting a recommendation of the Planning Commission as to the suitability of the future development of the San Marcos refuse disposal site for park and recreational purposes.
2. At its regular meeting of September 12, 1958, the Planning Commission recommended that the San Marcos refuse disposal site be converted into a park and recreation area when sanitary fill operations are completed.
3. In addition the Commission recommended that:
 - a. The two privately owned properties in the north portion of Lot 3 be acquired to provide a minimum compact area of County ownership, and that consideration be given to the future acquisition of Lot 4 to place all of Block 111 in County ownership.
 - b. Sanitary fill grading operations be so conducted as to provide for efficient future use of this property for park and recreation purposes.
4. Reasons for this recommendation are:
 - a. A park at this location will provide community and regional recreation service within the Vista-San Marcos area, supplementing inadequate facilities in Vista and relieving Felicita Park from future congestion.
 - b. Although the total area recommended for park use is not large - 25 acres minimum or 34 acres for the entire block - the topography is favorable for its complete use without wasted areas or areas of limited use due to difficult terrain.
 - c. It is favorably located with respect to convenience of access from both County-side and community standpoints.

SAN DIEGO COUNTY PLANNING COMMISSION

BJD:ly
cc: Chief Administrative Officer
Public Works Department
Purchasing Agent
Park & Recreation Department
San Marcos Rotary Club
San Marcos Junior Women's Club

Willis H. Miller
Willis H. Miller
Director of Planning

SEP 24 1958 (63)

Minute Vol. 216 page 473 #63

EXHIBIT 2

August 22, 1958

Board of Supervisors

Ref: 7-29-58
(65)

Department of Parks and Recreation

Your Board on July 29th requested the Park and Recreation Commission and the Planning Commission to submit their recommendations as to the suitability of the development of the San Marcos sanitary fill as a site for park and recreation purposes.

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This site has, in the opinion of this department, several advantages:

- (1) It is centrally located in a valley which in a comparatively few years should be heavily populated. Nearby is a new elementary school and the site for a new high school is only about half a mile away. Also, directly across the street is located a new subdivision.
- (2) Water is immediately adjacent and a sewer line traverses the property.
- (3) The area is flat and comprises about twenty-five acres. Of course, this is raw land and there is no shrubbery or vegetation growing on the premises. Hence, the development of such a park would be from scratch.

We feel that this land is valuable now and will become increasingly so with the passage of time. This site should be reserved for park and recreation purposes or if the Board so desires, for public purposes.

It is also our opinion that the development of this park should be some years in the future since we feel it more important to finish or to complete the development of certain of our major parks which already are receiving heavy use. These parks whose development should be completed are Flinn Springs, Felicita and San Dieguito County Parks.

This department is highly in favor of the use of sanitary fill sites for park and recreation purposes because we feel that the day is not too distant that desirable land to be used for a single purpose might be priced out of sight.

CLETUS W. GARDNER
Director of Parks and Recreation

CWG:hm

cc: Planning Commission
Department of Public Works ✓

AUG 25 1958

(Routing Over)

EXHIBIT 3

Dancing

December 4, 1958

Board of Supervisors

Department of Parks and Recreation

SUBJ.: San Marcos Sanitary Fill

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Herein contained are some of the latest developments regarding the San Marcos Sanitary Fill site.

1. A preliminary master plan has been prepared by the Department of Public Works.
2. This plan was exhibited at a meeting held at San Marcos and sponsored by the local Rotary Club. In attendance at this meeting were Supervisors Dent, Gibson, and Howell, Mr. Vincenz, as well as a number of county departmental representatives. The citizens of San Marcos in attendance appeared to approve of the plan as presented.
3. This plan was subsequently approved by the Park and Recreation Commission at its last meeting held on November 19, 1958. We would like the privilege of presenting this plan to your Board.

The people of San Marcos have made known their desire to build Little League baseball fields, as well as to plant about two hundred donated trees in areas to be designated. They are particularly anxious to get started since these fields should be ready for next season's play.

It should be noted that no monetary provision for any development of this park is in the current year's budget since this development was not foreseen at the time of preparing last year's budget. However, the Commission passed a motion to the effect that your Board direct the Department of Public Works to utilize the existing equipment now in use on the site to rough-grade a portion to be used for the ballfield development, as well as to rough-grade Linda Vista Street for access purposes. This should be done at the convenience of the Department of Public Works without disturbing the primary use of the equipment. The Commission felt that if the necessary water line is to be installed that it should be the responsibility of the local group.

In regard to the planting of the donated trees, the Commission felt that the best solution would be to plant the trees as a border on the park perimeter at specific locations to be designated.

DEW ROUTING SLIP

TO:	Vincenz	<input checked="" type="checkbox"/>
	Goode	<input checked="" type="checkbox"/>
	Hales	<input checked="" type="checkbox"/>
	Grothers	<input checked="" type="checkbox"/>
	Parks	<input checked="" type="checkbox"/>
	Rust	<input checked="" type="checkbox"/>
	Boland	<input checked="" type="checkbox"/>
	Barney	<input checked="" type="checkbox"/>
	Waldrup	<input checked="" type="checkbox"/>
	Costello	<input checked="" type="checkbox"/>

ROUTED BY: *[Signature]*

FOR: Action & Reply

FOR: Information

FOR: File

FOR: Sign Files

FOR: Special Files

DEC 5 1958

December 4, 1958

In regard to any specific capital projects to be considered in next year's budget, the Commission thought that it would be desirable to wait until the sanitary fill operation was closer to completion.

W. Gardner
CLETUS W. GARDNER
Director of Parks and Recreation

CHG:hm

cc: Department of Public Works ✓
Jim Downing, President, Chamber of Commerce, San Marcos

C
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EXHIBIT 4

*File
1-13 59*

January 8, 1959

Board of Supervisors

Department of Parks and Recreation

SUBJ: San Marcos Sanitary Fill

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A number of meetings have been held with the San Marcos Citizens' Committee for the development of the San Marcos Park. Two immediate problems need to be solved: (1) A portion of this proposed park should be rough graded in the very near future so that two Little League fields may be made ready for the coming season, and (2) two hundred trees have been donated to the Citizens' Committee. In order that these may be planted, a water line to irrigate these trees and to serve the ball fields should be installed prior to the coming season.

It was originally thought that a request for this water line installation would be made for the 1959-60 budget. However, even if these funds could be made available at that time, it would not solve the immediate problem. Hence, it was thought more feasible to request the necessary funds now and not make this budget request for the coming year.

The amount of piping necessary would be about 1400 lineal feet of 2" galvanized pipe with 15 hose bibbs. This is estimated to cost \$1,300.

If this request is granted, the Citizens' Committee has agreed to do the following:

1. Furnish the labor to do the necessary watering of trees and shrubs for at least one year.
2. Arrange for the necessary back filling of top soil in the tree basins.
3. Construct dugouts, fence, pitchers mound, etc. for the baseball fields.
4. Arrange for the installation of electricity.
5. Assume the responsibility of handling the schedule with Little League and/or other teams or leagues desiring to use these facilities.
6. Agree to assist in any other way possible to make this park a real community asset. ←

JAN - 9 1959

January 8, 1959

It is respectfully requested, in the light of the above, that your Board appropriate the sum of \$1,300 in order that this project be started as soon as possible.

Cletus W. Gardner

CLETUS W. GARDNER
Director of Parks and Recreation

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CWG:hm

cc: Chief Administrative Officer
Director, Department of Public Works ✓

DPW ROUTING SLIP

TO:			
Vincenz	1	✓	1-12
Goode			
Hales			
Crothers			
Parks	2	✓	1-12
Rust			
Boland			
Barney			
Waldrep			
Costello			

ROUTED BY *Y-2*

- FOR: _____
- Action & Reply _____
- Action _____
- Reply _____
- Information _____
- Info for Reply _____
- Division Files _____
- RETURN TO CENTRAL FILES ✓

EXHIBIT 5



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE December 11, 1968

TO: Board of Supervisors
FROM: Chief Administrative Officer

SAN MARCOS REFUSE DISPOSAL SITE

Your Board on 7/29/68 (18) referred to the Chief Administrative Officer for study and report a letter from the City of San Marcos expressing interest in acquiring the San Marcos Refuse Disposal Site when it is no longer needed by the County. On 11/12/68 the Department of Public Works notified the Chief Administrative Officer that fill and clean-up operations at the site had been completed, and that the land was no longer needed by that department.

In accordance with the Administrative Code, the Planning Department was requested to comment on disposition of this site and in accordance with the Government Code to obtain comments from the City of San Marcos Planning Commission. The Director of Planning anticipates no County need for this site and recommends disposal. The City of San Marcos Planning Commission has recommended that the County deed the site to San Marcos for expansion of the San Marcos Park north of this site and indicates that such development would not be in conflict with the City General Plan.

The County has a broad interest in developing adequate recreational facilities throughout the County, and accordingly, your Board has previously taken action to deed small parks to cities upon incorporation or annexation. Examples of these actions are found in the incorporations of Del Mar, Carlsbad, Imperial Beach, and the South Bay annexation to San Diego wherein County-owned park properties were relinquished to cities.

If your Board wishes to agree in principle to the donation of the site to the City of San Marcos for use as a park, it is my

RECOMMENDATION: That your Board

1. Direct the Clerk of the Board to advertise the proposed dedication in accordance with Sec. 25365 of the Government Code.

DEC-30-1968

DEC 16 1968

December 11, 1968

2. Direct the Purchasing Agent, in conjunction with County Counsel, to prepare the necessary documents to convey the former San Marcos Refuse Disposal Site to the City of San Marcos for park purposes only; specifying that if the land is used for other than park purposes, title will automatically revert to the County.

Discussion

The San Marcos Refuse Disposal Site originally consisted of a total of approximately 34.2 acres purchased in increments from 1948 to 1963.

With regard to the use of refuse disposal sites, your Board has established as policy that the County will develop such fill sites for parks and recreation and general use purposes. Where such parks which have been developed by the County are located within incorporated cities or in annexations to incorporated cities, the County has taken previous action to convey title of the park to the city. Accordingly, approximately 8.1 acres of the San Marcos Refuse Disposal Site were developed by the County as a park; and subsequently, upon incorporation of the City of San Marcos, the park was deeded to the city. A condition of the deed was that title to the land would revert to the County if the land were no longer used for park or municipal purposes.

At the time that the County developed the 8.1 acre park, a master plan was drawn up indicating a proposed development for the total 34.2 acre site.

Respectfully submitted,


F. J. MORLEY
Chief Administrative Officer

FJM:RF:w

cc: County Counsel
Director of Public Works
Director of Parks & Recreation
Director of Planning
Purchasing Agent
City of San Marcos

County of San Diego
Department of
Public Works

DEC 11 4 45 PM '68

NO. 408801
FILED

DEC 16 1968 #81

EXHIBIT 6

QUITCLAIM DEED

Pursuant to Section 25365 of the Government Code of the State of California, the COUNTY OF SAN DIEGO, a political subdivision of the State of California, by vote of not less than four members of its Board of Supervisors, does hereby quitclaim to the CITY OF SAN MARCOS, for public park purposes, the following described real property:

All of Block 111, of Rancho Los Vallecitos De San Marcos, in the County of San Diego, State of California, according to Map thereof No. 806, filed in the Office of the County Recorder of said San Diego County on December 21, 1895, together with that portion of the northerly half of First Street adjoining said Block 111 as closed February 6, 1901 by order of the Board of Supervisors of said San Diego County.

EXCEPTING therefrom those portions of Lots 1, 2 and 3 of said Block 111 lying northeasterly of a line that is parallel with and distant 10 feet southwesterly, at right angles, from the following described line:

Beginning at the point of intersection of the center lines of Rancho Santa Fe Road and Linda Vista Drive, according to Marcos Village, Unit No. 1, Map thereof No. 3715, filed in the Office of the County Recorder of said County; thence South 20°05'35" East 416.76 feet; thence South 59°55'50" East, 348.48 feet; thence South 55°42'45" East, 293.55 feet; thence South 54°53'25" East, 220.82 feet; thence South 28°08'50" East, 447.12 feet. The basis of bearings being the center line of Linda Vista Drive according to said Map No. 3715.

This Quitclaim Deed of real property is made and accepted upon the express condition that the real property described above shall be used and maintained for public park purposes and for no other purposes. Upon a breach of said condition the title to the land hereby conveyed shall revert to and vest in the grantor, the County of San Diego.

Dated this 30th day of December, 1968.

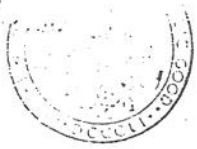
COUNTY OF SAN DIEGO

By

[Signature]
Chairman, Board of Supervisors

THIS IS TO CERTIFY that the interest in real property conveyed by the deed grant deed dated DECEMBER 30, 1968 from THE COUNTY OF SAN DIEGO, A POLITICAL DIVISION OF THE STATE OF CALIFORNIA to the City of San Marcos, a politi-

EXHIBIT 7



COUNTY OF SAN DIEGO

RGD COPY

INTER-DEPARTMENTAL CORRESPONDENCE

December 10, 1969

Board of Supervisors

FROM: Chief Administrative Officer

PROPOSED PARK EASEMENTS (FORMER SAN MARCOS REFUSE DISPOSAL SITE)

On June 30, 1964 (130) your Board authorized a Quitclaim Deed to the City of San Marcos of a portion of the then County-owned San Marcos Refuse Disposal Site, said portion to be used for public park or municipal purposes. On December 16, 1968 (81) your Board authorized another Quitclaim Deed to the City of San Marcos for the balance of said site to be used for park purposes only. Both deeds specified that if the land being conveyed was to be used for other than the specified purposes, title would revert to the County.

The City of San Marcos is in receipt of two requests for utility easements across the aforementioned lands. The City has requested that the County, as a holder of a reversionary interest in said lands, state whether or not it perceives any conflict in land use between the proposed easements and the uses specified in the aforementioned Quitclaim Deeds to the City. The City requests that the County state its objections, if any, to the proposed grant of easements. It is my

RECOMMENDATION: That your Board

1. State that it has no objections to the proposed grant of the two easements described in this letter providing that: (a) the City determine in these two instances whether or not the proposed easements are compatible with proposed park development; (b) The City receive fair market value for the easements; (c) That limited types of park improvements can be constructed by the City over the proposed easements; and (d) Any monies received by the City as consideration for the grant of easements are to be used for park development.
2. Direct County Counsel to prepare necessary consent documents for submission to the San Marcos City Council and to your Board.

1969 MEETING - 12-10-69

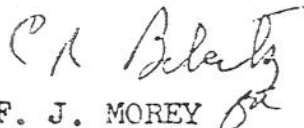
December 10, 1969

Discussion

There are two parties requesting easements over the lands quit-claimed to the City. One party, the San Diego County Water Authority, is requesting an 80-foot wide easement parallel and adjacent to an existing 50-foot wide easement previously granted to the Authority. This easement is to provide for two underground water aqueducts, one of an 8-foot diameter to be installed at present, the other to be installed in the future. The Authority is offering to the City a consideration of \$8,500, an amount determined by the Office of Property Management to be just compensation. Property Management has suggested, however, that the easement document submitted by the Authority be altered to permit limited types of improvements to be constructed by the City over the easement. These would include, for example, moveable playground equipment, blacktopped parking areas, and some types of trees. The other party requesting an easement is W. C. Lusardi of P. H. Lusardi Construction Company. This party asks that the City grant a lateral extension to an existing sewer line through the said lands.

Again the Office of Property Management would request that any easement document submitted be allowed to permit limited types of improvements to be constructed by the City over the easement.

Respectfully submitted,



F. J. MOREY
Chief Administrative Officer

RJM:BF:jkl

cc: County Counsel
Public Works Administrator
City Administrator, City of San Marcos
County Water Authority
P. H. Lusardi Construction Co.
P. O. Box 382
701 Mercantile
Vista, California 92083

R. L. Thibodo Construction Co., Inc.
155 Olive Street
Vista, California 92083

EXHIBIT 8



INTERNATIONAL
TECHNOLOGY
CORPORATION

9/91

Final Report
Solid Waste Assessment Test (SWAT)
San Marcos I Sanitary Landfill

Report mislabeled:
Change to

06-0022
Linda Vista Landfill

Prepared for:
San Diego County
Department of Public Works

S.D. COUNTY OF, SOLID WASTE SERV.
LINDA VISTA (OLD SAN MARCOS)
LANDFILL.

WDR ORDER: 97-11
REPORT FILE: 1 01/1990-12/1993
06-0022.03 STATUS: C

RESPONSIVE TO THE NEEDS OF ENVIRONMENTAL MANAGEMENT

EXECUTIVE SUMMARY

This report of the water quality Solid Waste Assessment Test (SWAT) conducted for the San Marcos I landfill was prepared for the County of San Diego, Department of Public Works, in response to the provisions of the California Water Code, Section 13273, as amended. This SWAT is being conducted by IT Corporation (IT), in accordance with the "Technical Guidance Manual: Solid Waste Water Quality Assessment Test (SWAT) Proposals and Reports," issued by the State Water Resources Control Board in August 1988.

The principal activities completed for the SWAT investigation include the following:

- Existing documents and records were reviewed and relevant information was compiled.
- Four monitoring wells (one upgradient and three downgradient) were installed for ground-water monitoring.
- Subsurface soil samples were analyzed to provide chemical characterization of the vadose zone.
- Two quarterly ground-water monitoring rounds have been completed. Water samples were collected and analyzed and water-level elevations were measured. Two additional quarterly monitoring events will be conducted to provide four quarters of ground-water analytical data.
- Analytical results for the ground-water samples were compared to California State drinking water standards (DWS) (RWQCB, 1991).

The principal findings of the SWAT investigation include the following:

- The underlying site geology is fairly uniform. The landfill rests on artificial fill and gently dipping clayey silts, silty sands, and clayey sands of the Delmar Formation.
- The landfill is within the San Marcos Creek floodplain, 2,000 feet north and 10 to 20 feet higher than the creek.
- Local ground water occurs at shallow depths (5 to 10 feet below ground surface) in the Delmar Formation and may also intersect the base of the landfill. Porosity in the aquifer is mainly intergranular.
- Inspection of the ground-water potentiometric surface at the site indicates that ground-water flow is to the southeast, in the direction of the topographic slope and toward San Marcos Creek.
- Land use in the vicinity of the landfill has been designated for residential, commercial, public, and recreational uses.

EXHIBIT 9



COUNTY OF SAN DIEGO

DEPARTMENT OF PUBLIC WORKS

BUILDING 2 5555 OVERLAND AVENUE

SAN DIEGO, CALIFORNIA 92123

TELEPHONE: (619) 565-5177

GRANVILLE M. BOWMAN, Director

Offices of:

County Engineer

County Road Commissioner

County Surveyor

County Airports

Flood Control

Liquid Waste

Solid Waste

Transportation Operations

April 7, 1986

*\$195,000
Grant from state
specifies city must
have title*

Mr. Rick Gittings, City Manager
City of San Marcos
105 Richmar Avenue
San Marcos, CA 92069

Dear Mr. Gittings:

Subject: Future Linda Vista Park on the Old San Marcos Landfill:
Joint Powers Agreement, Quitclaim and Lease

Over the past months, staff of this Department has met with you and your representatives regarding development of the Linda Vista Park on the site of the old San Marcos Landfill. The City has expressed concern about requirements for development that result directly from having been a solid waste landfill.

As you are aware, the County has the responsibility for any remedial work on completed landfills required as a result of the landfill operation. Because of this on-going responsibility, it is appropriate for the County to resume ownership of the property. The County would then lease the site back to the City for use as a park.

Attached are copies of a Joint Powers Agreement and Lease. They have also been sent to our Department of General Services, Real Property Division, for their review. General Services is the County agency responsible for all matters pertaining to the transfer of ownership, agreements and lease. After their review, the documents will be submitted to the City for review and approval.

Regarding the site plan for the park, our primary concern is the application of irrigation water to the park on a regular and frequent basis. Unless carefully controlled, this will increase the potential for leachate in the landfill. The production of significant quantities of leachate could contaminate the park and surrounding area, the drainage channel, and ultimately the groundwater supply over a broad area.

To minimize this potential, shallow rooting vegetation with low watering requirements should be used. In addition, strict adherence to a watering schedule which avoids watering more frequently or for longer periods than

Mr. Rick Gittings, City Manager

Page 2

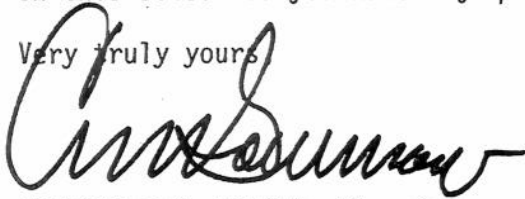
April 7, 1986

required, will be an important factor in minimizing leachate potential. During the operation of the park, any depressions which appear through settling or other means must be filled to prevent ponding.

California Statute 17735 requires the operator of a closed site to file a detailed description of the site with the Local Enforcement Agency. The California Administrative Code, Title 23, Subchapter 15, Article 8 requires that waste management units be closed according to an approved closure and post-closure maintenance plan. The County will comply with these requirements upon transfer of title.

We look forward to working with the City of San Marcos to provide a safe park on this site. If you have any questions, please call Gary Cane at 565-3063.

Very truly yours,

A handwritten signature in black ink, appearing to read "Granville M. Bowman". The signature is written in a cursive, flowing style with a long horizontal tail stroke.

GRANVILLE M. BOWMAN, Director
Department of Public Works

GMB:GWC:ms

Attachments

EXHIBIT 10



RECEIVED
JAN 11 1995
CITY OF SAN MARCOS
ENGINEERING DEPARTMENT

SOUTHERN CALIFORNIA SOIL AND TESTING, INC.
6390 RIVERDALE ST. SAN DIEGO, CALIF. 92120 • TELE 290-4321 • P.O. BOX 20627 SAN DIEGO, CALIF. 92120
678 ENTERPRISE ST. ESCOBEDO, CALIF. 92028 • TELE 748-4644

June 10, 1986

Gurganus And Associates
145 Vallecitos De Oro, Suite 208
San Marcos, California 92069

SCS&T 8621097
Report No. 1

SUBJECT: Limited Soil Investigation, Linda Vista Park, San
Marcos, California.

ATTENTION: Wayne Gurganus

Gentlemen;

In accordance with your authorization, we have performed a limited investigation of the soil conditions at the subject site. The purpose of this investigation was to determine the approximate thickness of the soil cover over the old sanitary land fill at the site and to determine the location of cut/fill daylight lines. We are presenting herein our findings.

The subject site is a 30 acre parcel of land bounded on the west by Rancho Santa Fe Road on the north by Linda Vista Road, on the east by Pacific Street, and on the south by residential property. The area of concern for this investigation was the southerly 22 acres of the park that was used in the 1960's as a sanitary land fill site. This area is vacant of improvements and is graded into a relatively level pad. The pad is at about the same elevation as Rancho Santa Fe Road, ten to fifteen feet higher than the

SOUTHERN CALIFORNIA SOIL AND TESTING, INC.

park area to the north, twenty-five to thirty feet higher than Pacific Street, and one to twenty-five feet higher than the residential property to the south. Two large diameter water lines of the San Diego County Water Authority cross the site in the westerly portion.

The scope of our services was limited to excavating twenty-six backhoe trenches throughout the area in question. The locations of these trenches are shown on Plate Number 1, included in the pocket of this report. These excavations were made on May 29 and May 30, 1986 and varied from six to thirteen feet deep. The excavations were logged when made by a member of our engineering geology staff and these logs are presented on the attached Plate Numbers 3 through 28. It was beyond the scope of our investigation to determine the depth and lateral extent of the sanitary fill material; however, we did indicate the approximate amount of soil in the trash fill material on the trench logs.

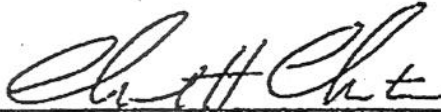
In general, the thickness of the soil cover over the sanitary fill material varied from one and a half feet to seven feet. The average thickness of cover was about three to four feet. Trench Number 4, which was excavated near the center of the west boundary, was an exception in that it did not expose any trash and encountered natural ground at about five and a half feet below the surface. No other trenches exposed natural ground. Trench Number 22 was also an exception in that it encountered twelve feet of clean fill material. This trench was excavated near the northwest corner of the park. Only one trench encountered wet or saturated soil. This was Trench Number 5, which was excavated in the southwest corner of the park near the adjacent residential development.

The trash fill material appeared to be relatively well preserved with little decomposition and decay. There was, however, a very

strong odor, indicating decomposition and the generation of methane gas is occurring as expected. It is anticipated that the decomposition of the deleterious materials will be accelerated by the introduction of water from landscape irrigation once the park is developed. This decomposition will result in substantial, time related settlements. The magnitude and time rate of these settlements cannot be predicted by conventional soil mechanics methods and at best, could only be "guesstimated" based on experience with other sanitary landfills. We do not have enough experience with such predictions to provide any useful information on this subject.

If you have any questions after reviewing this report or if we can be of further service, please do not hesitate to contact the undersigned. This opportunity to be of service is sincerely appreciated.

Respectively submitted;
SOUTHERN CALIFORNIA SOIL AND TESTING, INC.



Charles H. Christian, R.C.E. 22330


Curtis R. Burdett, C.E.G. #1090

CHC:CRB:pp

Copy: (4) Submitted

(1) SCS&T Escondido

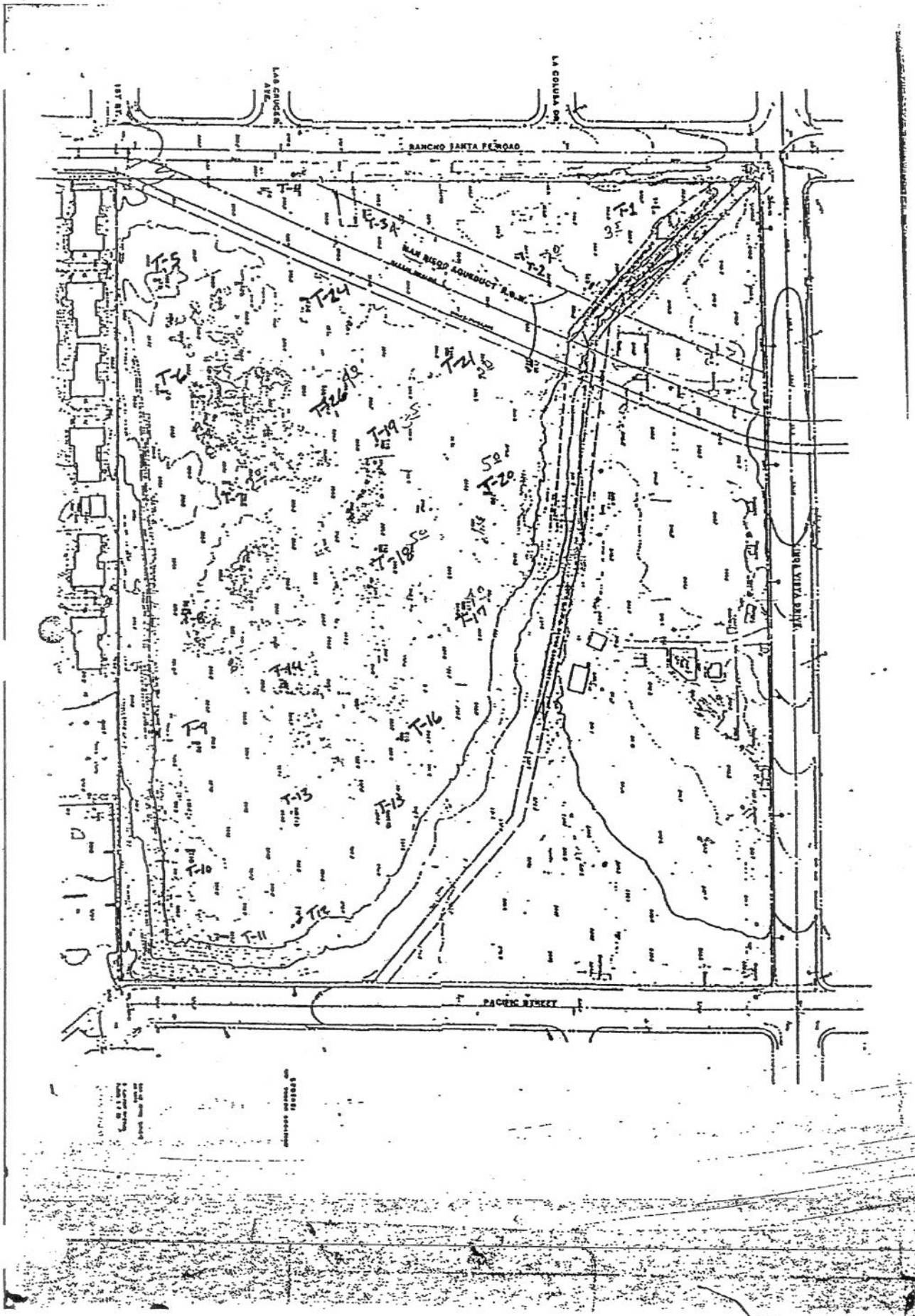


EXHIBIT 11

A JOINT EXERCISE OF POWERS
AGREEMENT BETWEEN THE CITY OF
SAN MARCOS AND THE COUNTY OF SAN DIEGO

This Agreement dated for convenience as of August 12, 1986 by and between the City of San Marcos, hereinafter referred to as "City", and the County of San Diego, a political subdivision of the State of California, hereinafter referred to as "County":

WITNESSETH:

Whereas, from 1956 to 1968, County operated the San Marcos Landfill now commonly known as "Old San Marcos Landfill" adjacent to Rancho Santa Fe Road; and

Whereas, in August 1968 County closed said landfill; and

Whereas, on December 30, 1968, County quitclaimed to City said Old San Marcos Landfill site; and

Whereas, it has since been determined that responsibility for Closed Landfill maintenance in compliance with local, State and Federal regulation rests with the agency which operated the landfill; and

Whereas, City is now planning the development of a park on the site, in accordance with the terms of the quitclaim executed by County; and

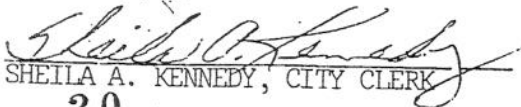
Whereas in order for County to exercise its responsibility for the Closed Landfill it must install additional monitoring systems, and thereafter be permitted free access to the site for maintenance and monitoring of said systems;


Now, therefore

The parties hereto agree as follows:

1. County will continue to retain liability for landfill-related incidents and responsibility for testing and/or remedial activity required pursuant to existing law, and any other subsequent legislation. County will defend and indemnify City and its employees against landfill-related incidents.
2. County will retain right of entry to install, monitor and maintain monitoring and methane gas control systems as required for Closed Landfills.
3. The City will assume liability and maintenance responsibility for park-related incidents and improvement and will defend and indemnify County and its employees against such incidents/improvements.

ATTEST:


SHEILA A. KENNEDY, CITY CLERK

By: 
City of San Marcos

By: 
County of San Diego
Asst. Clerk of the Board of Supervisors

EXHIBIT 12



RECEIVED
APR 21 1987
CITY OF MARCOS

County of San Diego

GRANVILLE M. BOWMAN
DIRECTOR
(619) 565-5177

DEPARTMENT OF PUBLIC WORKS

5555 OVERLAND AVE. SAN DIEGO, CALIFORNIA 92123-1295

COUNTY ENGINEER
COUNTY AIRPORTS
COUNTY ROAD COMMISSIONER
TRANSPORTATION OPERATIONS
COUNTY SURVEYOR
FLOOD CONTROL
LIQUID WASTE
SOLID WASTE

April 14, 1987

Mr. Paul Malone
Administrative Assistant
City of San Marcos
105 W. Richmar Avenue
San Marcos, CA 92069

Dear Mr. Malone:

Subject: Groundwater Monitoring Wells at the Linda Vista Landfill

We have reviewed your plan for the development of a portion of the Linda Vista (Old San Marcos) Landfill into a public park. The plan for the proposed park is consistent with the goals for beneficially utilizing closed landfills. We do not anticipate any conflicts between your proposed recreational facilities and future groundwater monitoring wells that will be installed for the State Solid Waste Assessment Testing (SWAT) Program.

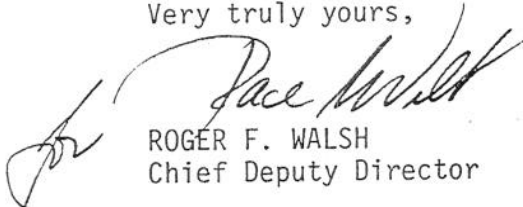
This Department is following the State Water Resources Control Board Ranking List in developing SWAT programs for former landfill sites. We are currently working on the programs for Rank 1 and Rank 2 sites. The former Linda Vista Landfill is a low priority or Rank 11 site. As such, it is not scheduled for review until 1997.

In view of this, please do not delay your project. We will develop a groundwater monitoring plan for this facility in the near future as time permits for submission under the SWAT program. Your park development will not affect our well locations for Solid Waste Assessment Testing.

The former Linda Vista Landfill was closed in 1969. It is not necessary to obtain a closure permit for this old landfill facility. - Grandfathered

If you should have any questions or need any additional information, please contact Mr. Bob Erickson at 565-3080.

Very truly yours,


ROGER F. WALSH
Chief Deputy Director

RFW:RLE:scm

cc: Bruce Posthumus RWQCB
9-008

EXHIBIT 13



- NOTES:**
- CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES FOR THE LINES 3 & 4 THROUGH BRADLEY PARK AND USE OF EXISTING BRADLEY PARK.
 - 50% STOCKPILING SHALL NOT OCCUR WITHIN 250 FEET OF THE DAY CARE CENTER.
 - CONTRACTOR SHALL PROVIDE FENCING AS NECESSARY TO SEPARATE USE OF R/W WITHIN BRADLEY PARK FROM PUBLIC PERI SPECIFICATION.

POINT	DESCRIPTION	DATE	NORTHING	EASTING
1	LINE	10/21/11 1+08.17'	1985814.20	6270124.80
2	LINE	10/21/11 1+08.17'	1985826.23	6270137.15
3	LINE	10/21/11 1+08.17'	1985816.48	6270166.92
4	LINE	10/21/11 1+08.17'	1985796.33	6270168.40



NO. DATE: _____

REVISION: _____

DATE: 04/11/2011

BY: [Signature]

DATE: 04/11/2011

BY: [Signature]

DATE: 04/11/2011

BY: [Signature]

DATE: 04/11/2011

BY: [Signature]

BOYLE
ENGINEERING & CONSTRUCTION
7807 CANON COURT, SUITE 200
SAN DIEGO, CA 92111
(619) 584-8200

DESIGNED BY: H. WILLIAMS

DRAWN BY: M. FLORES

CHECKED BY: A. ROJAS

DATE: 11/14/12

DATE: 11/14/12

BY: [Signature]

DATE: 11/14/12

BY: [Signature]

SAN DIEGO COUNTY WATER AUTHORITY
4400 CAMDEN AVENUE
SAN DIEGO, CA 92108
(619) 594-3000

BRADLEY PARK
PIPELINES 3 and 4
RELOCATION PROJECT

CONSTRUCTION ACCESS
AND
WORK AREAS

SCALE: 1" = 80'

SHEET NO. 6 OF 78

EXHIBIT 14

RGO Copy
Bill S

FJE



San Diego County Water Authority

Operations Center
610 W. 5th Avenue • Escondido, California 92025
(619) 480-1991 FAX 480-9867

April 24, 1990

Mr. R. W. Gittings, City Manager
City of San Marcos
105 W. Richmar Avenue
San Marcos, CA 92069

ATTN: Mr. Paul Malone, Assistant to the City Manager

Re: Offer to Purchase a Permanent Easement for Pipeline 5 Extension, Phase I

Dear Mr. Malone:

The San Diego County Water Authority (SDCWA) is a public agency which provides wholesale water to retail water agencies in San Diego County. The San Diego County Water Authority is planning the construction of eleven miles of 108-inch diameter pipeline through the San Marcos and Vista areas. This project is commonly referred to as Pipeline 5 Extension, Phase I.

Most of the pipeline will be constructed within existing SDCWA easements and public right-of-way. However, new rights-of-way will be required for approximately three miles of the pipeline alignment. A portion of the City of San Marcos property is located within the area required for Pipeline 5 Extension.

San Diego County Water Authority has had the property appraised and has established an amount which it believes to be just compensation for the property interests to be acquired. That amount is \$165,006. The summary of the basis for the appraisal and a copy of the Easement Document are enclosed.

SDCWA hereby offers to pay the above amount in exchange for a permanent easement as shown on the attached Lands and Rights of Way Map SR-215 and preliminary Plan and Profile Construction Drawing No. 1014. SDCWA will pay all title and recording charges.

MEMBER AGENCIES

CITIES

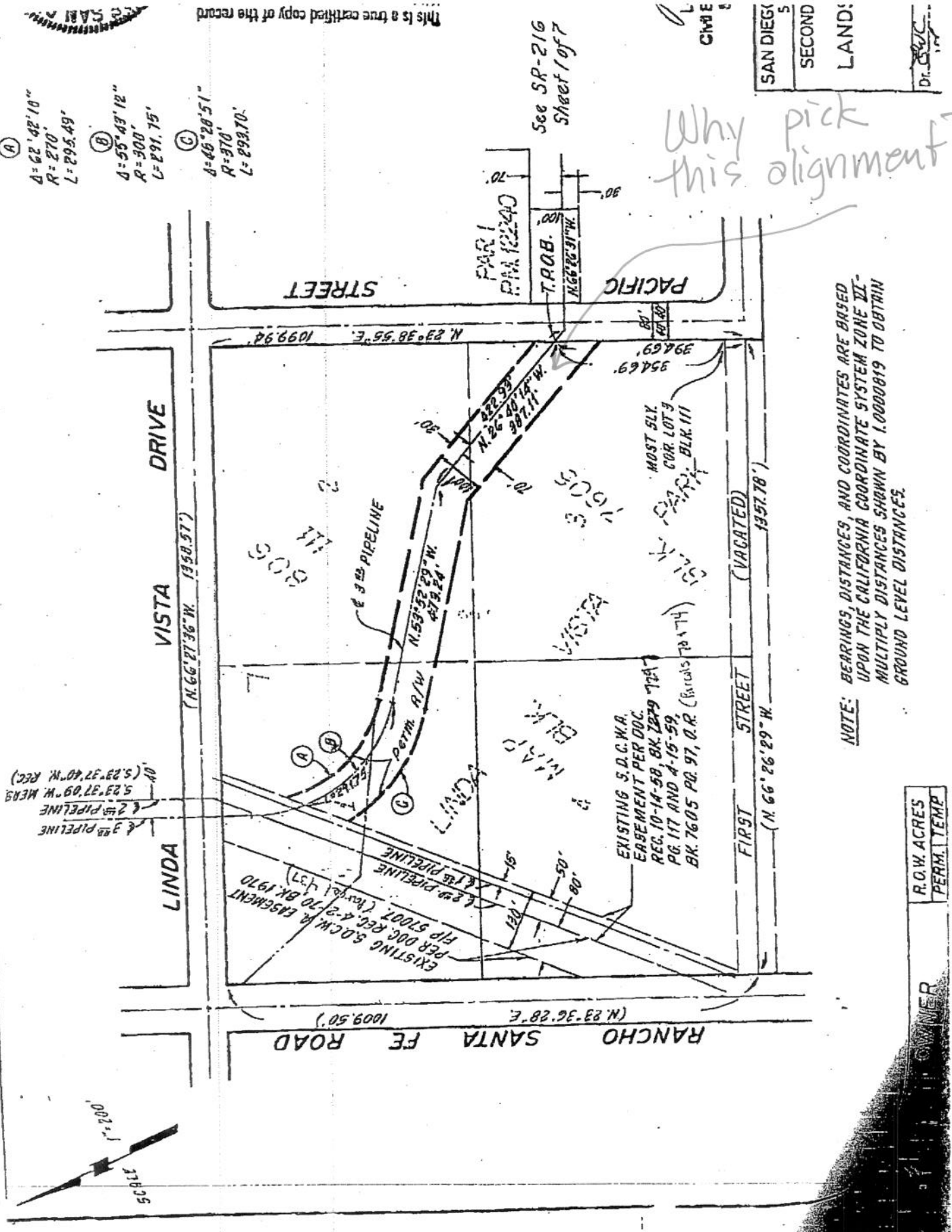
IRRIGATION DISTRICTS

COUNTY WATER DISTRICT

MUNICIPAL WATER DISTRICTS

T-075 P.009/012 F-985

From



NOTE: BEARINGS, DISTANCES, AND COORDINATES ARE BASED UPON THE CALIFORNIA COORDINATE SYSTEM ZONE XII. MULTIPLY DISTANCES SHOWN BY 1.0000819 TO OBTAIN GROUND LEVEL DISTANCES.

Why pick this alignment?

SAN DIEGO	5
SECOND	
LAND:	

R.O.W. ACRES	
PERM. TEMP	

OWNER

- (A) $\Delta = 62' 42" 10"$
 $R = 270'$
 $L = 295.49'$
- (B) $\Delta = 55' 43" 12"$
 $R = 300'$
 $L = 291.75'$
- (C) $\Delta = 46' 28" 51"$
 $R = 370'$
 $L = 293.70'$

This is a true certified copy of the record

See SR-216
Sheet 1 of 7

CIVE 1

Dr. [Signature]

EXHIBIT 15



INTERNATIONAL
TECHNOLOGY
CORPORATION

9/9/1

Final Report
Solid Waste Assessment Test (SWAT)
San Marcos I Sanitary Landfill

Report mislabeled:
Change to

06-0022
Linda Vista Landfill

Prepared for:
San Diego County
Department of Public Works

S.D. COUNTY OF, SOLID WASTE SERV.
LINDA VISTA (OLD SAN MARCOS)
LANDFILL.
WDR ORDER: 97-11
REPORT FILE: 1 01/1990-12/1993
06-0022.03 STATUS: C

RESPONSIVE TO THE NEEDS OF ENVIRONMENTAL MANAGEMENT

3.0 FACILITIES

3.1 GENERAL DESCRIPTION

The San Marcos landfill (Old) is situated on the southeast corner of Rancho Santa Fe and Linda Vista Roads. The landfill lies within the floodplain of San Marcos Creek, and covers approximately 34.2 acres. Almost the entire site (34 acres) was dedicated to landfilling operations. The site is used currently as a park and includes a parking lot and baseball diamonds. A detailed topographic map and aerial photograph of the site are presented in Figures 2 and 3, respectively. Figure 2 shows the location of the site ground-water monitoring wells.

3.2 ANCILLARY FACILITIES

The following sections identify ancillary facilities at the site.

3.2.1 Buildings

No building is known to have been located on the site during landfill operations. The site currently contains a rest room facility on the west side for the city park and located near the center of the site. Another structure, used by the parks maintenance department is located on the northwest corner of the site and a wood-framed house used for a private residence near the center of the site.

3.2.2 Waste Handling Areas

The solid waste landfill was operated as two separate landfill cells which were separated by the creek drainage that bisects the site and drains southeasterly.

3.2.3 Equipment Handling Areas

The site contained no dedicated equipment handling areas.

3.2.4 Roads

Access to the facility is via Rancho Santa Fe Drive on the western site property boundary.

3.2.5 Septage Receiving Area

There is no record that septic tank and liquid wastes were accepted at the site. The site contains no septage receiving area.

EXHIBIT 16

LEGEN

APPROXIMATE

APPROXIMATE

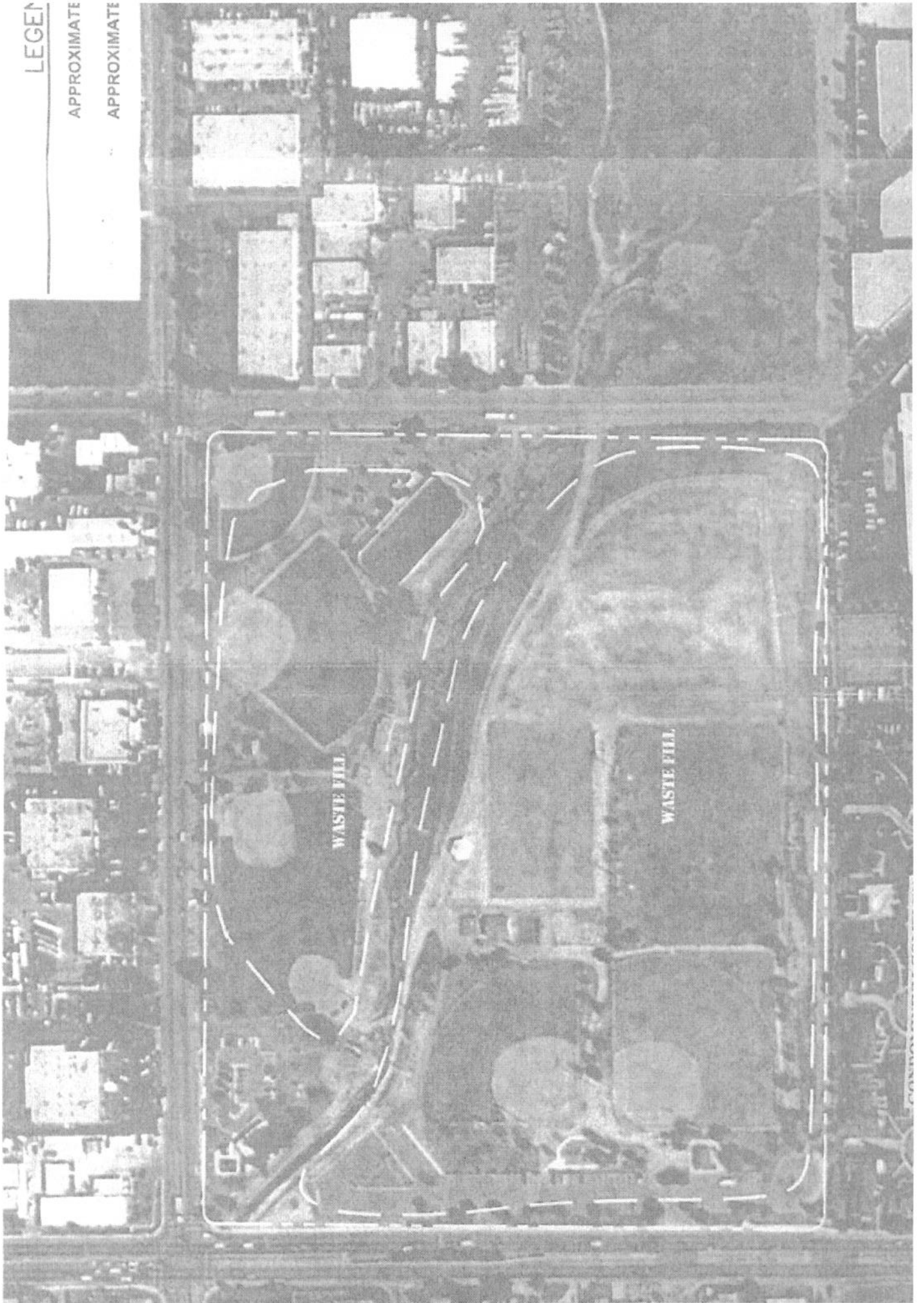


EXHIBIT 17



MOORE & TABER GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS
16760 WEST BERNARDO DRIVE • SAN DIEGO, CALIFORNIA 92127
TELEPHONE (619) 487-2113 • FAX: (619) 487-2357

ADDITIONAL OFFICES
ANAHEIM
BAKERSFIELD
VENTURA COUNTY

January 23, 1992

Job No. 691-801

San Diego County Water Authority
Operations Center
610 W. 5th Avenue
Escondido, California 92025

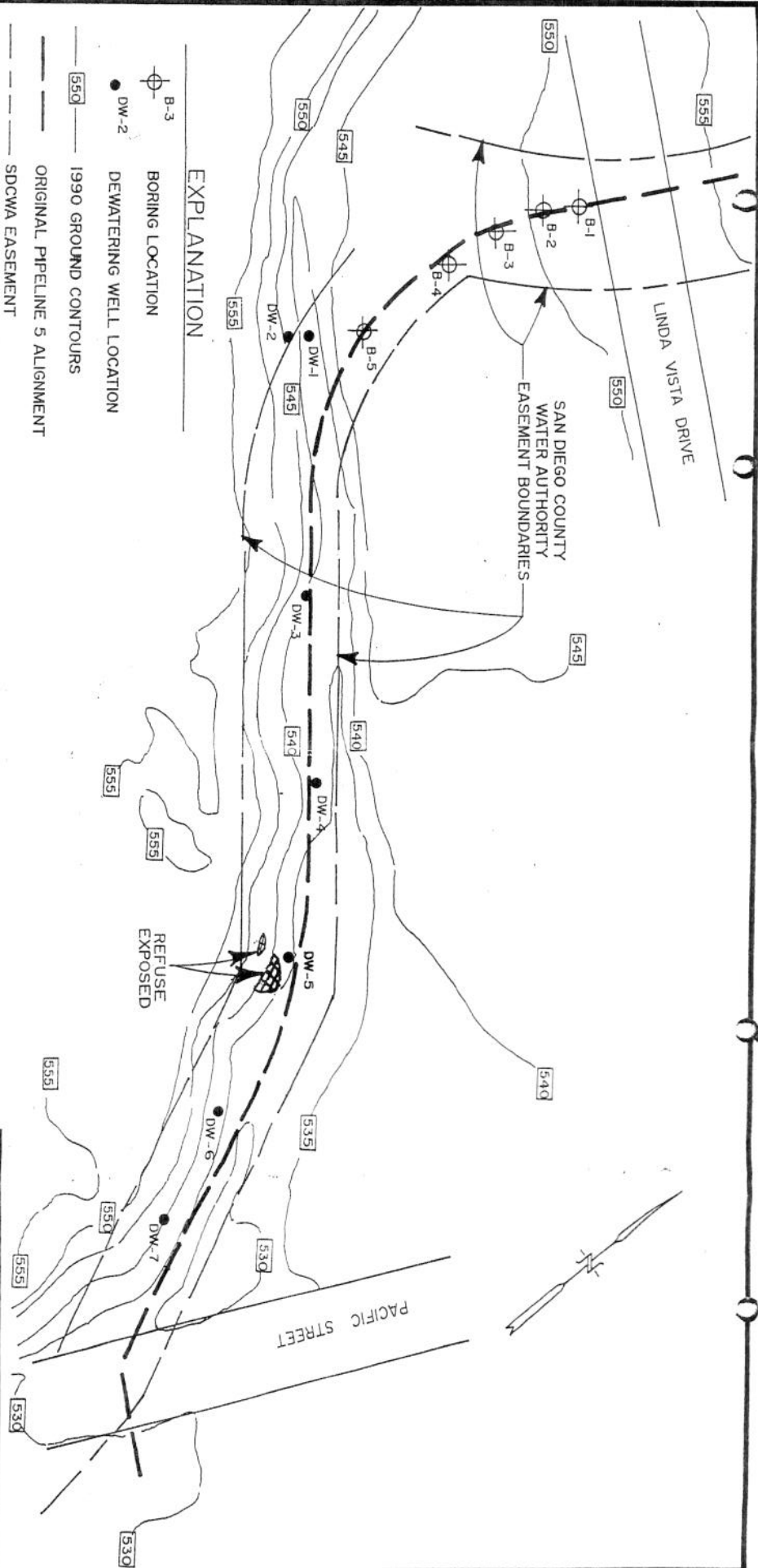
Attention: Mr. Paul Johnson

**SUBJECT: SECOND SAN DIEGO AQUEDUCT
PIPELINE 5 EXTENSION, PHASE I (P5EI)
DEWATERING WELLS, BORINGS, EXCAVATION
BRADLEY PARK, SAN MARCOS, CALIFORNIA**

1.0 INTRODUCTION

In accordance with your request and our proposal dated December 4, 1991, Moore & Taber (M&T) is providing the following information, in response to the letter dated November 26, 1991 from the County of San Diego, Hazardous Materials Management Division.

- ▶ Site map showing Kiewit Pacific Company's (KPC's) dewatering well and boring locations based on available information;
- ▶ Copies of KPC's boring logs, provided by the San Diego County Water Authority (SDCWA);
- ▶ Descriptions of how KPC's borings were backfilled/destroyed, based on information provided by Dave Imper of KPC;
- ▶ "Well Permit" applications for KPC's borings that meet the County of San Diego's requirements;



EXPLANATION

- ⊕ B-3 BORING LOCATION
- DW-2 DEWATERING WELL LOCATION
- 1990 GROUND CONTOURS
- ORIGINAL PIPELINE 5 ALIGNMENT
- - - SDCWA EASEMENT

REFERENCE:

SAN DIEGO COUNTY WATER AUTHORITY, CONSTRUCTION PLANS, PIPELINE 5 EXTENSION
 PHASE 1, DRAWING NOS. S-1013 & S-1014 DATED MAY 31, 1990



SAN DIEGO COUNTY WATER AUTHORITY
 OLD SAN MARCOS LANDFILL
 SAN MARCOS, CALIFORNIA

SITE PLAN WITH WELL AND BORING LOCATIONS

MOORE & TABER
 GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIELD KGF	DRAFT PWC	APPROVED <i>[Signature]</i>	DATE 1/3/92
			JOB NO. 691-801

EXHIBIT 18



San Diego County Water Authority

A Public Agency

Operations Center
610 W. 5th Avenue • Escondido, California 92025
(619) 480-1991 FAX (619) 480-9867

RECEIVED

JUL 21 1992

July 20, 1992

CITY OF SAN MARCOS
PUBLIC WORKS DEPARTMENT

File: 10-1350.502-18

Rick Gittings, City Manager
City of San Marcos
105 W. Richmar Avenue
San Marcos, Ca 92069

RE: San Marcos Pipeline

Dear Mr. Gittings:

On behalf of the Authority, I would like to first acknowledge our appreciation and gratitude to the City staff and especially to Mr. Richard Wygant for the excellent cooperation and assistance provided throughout this important pipeline project. Your citizens, as well as the rest of the County of San Diego, will derive major benefit from the completion of this major regional facility to improve the reliability of our water supply.

The original alignment for the San Marcos Pipeline was selected following extensive coordination with the City and public input by the residents of San Marcos. The alignment extended through Bradley Park from Linda Vista Drive to Pacific Street and required the Authority to acquire an easement from the City through the park for which the Authority paid the City \$175,000.

As you are aware, Bradley Park is situated over land reclaimed from old landfills operated by the County of San Diego between 1945 and 1969. The easement we obtained from the City was thought to be outside the known boundaries of the landfill. Prior to the start of construction, our contractor, Kiewit Pacific Company (KPC), drilled holes for the trench dewatering system and discovered trash in the bore holes along the centerline of the San Marcos Pipeline alignment within the easement. Due to the numerous problems and various liabilities associated with constructing and maintaining this pipeline through an abandoned landfill, the Authority was forced to abandon that portion of the alignment through Bradley Park, necessitating realignment of the pipeline. As soon as this

I:\P5E1\GC502-18

MEMBER AGENCIES

CITIES
• Del Mar • Escondido • National City
• Oceanside • Poway • San Diego

COUNTY
• San Diego
(ex officio)

IRRIGATION DISTRICTS
• Santa Fe • South Bay

WATER DISTRICTS
• Helix • Otay
• San Dieguito

COUNTY WATER DISTRICT
• Vallecitos

PUBLIC UTILITY DISTRICT
• Fallbrook

FEDERAL AGENCY
• Pendleton Military Reservation

MUNICIPAL WATER DISTRICTS
• Buena Colorado • Rainbow
• Carlsbad • Ramona
• Olivenhain • Rincon del Diablo
• Padre Dam • Valley Center
• Yuima

EXHIBIT 19



County of San Diego

TOM GARIBAY
DIRECTOR
(619) 694-2212
FAX: (619) 268-0461
LOCATION CODE S50

DEPARTMENT OF PUBLIC WORKS

5555 OVERLAND AVE, SAN DIEGO, CALIFORNIA 92123-1295

COUNTY ENGINEER
COUNTY AIRPORTS
COUNTY ROAD COMMISSIONER
TRANSIT SERVICES
COUNTY SURVEYOR
FLOOD CONTROL
WASTEWATER MANAGEMENT
SOLID WASTE

February 8, 1995

TO: Richard J. Sommerville
Air Pollution Control District (0176)
Attention: Teresa Morris

FROM: John A. Miller, Acting Deputy Director
Department of Public Works (0383)

UPDATE ON INACTIVE LANDFILL SITES

The purpose of this letter is to update you on inactive landfill maintenance and monthly monitoring activities for the month of January, 1995. Monthly or bi-monthly landfill gas monitoring was conducted at Encinitas, Gillespie, Jamacha, Palomar Airport, Poway and Valley Center Inactive Landfills. In addition, bi-monthly cover inspections were conducted at these sites and the inspection reports and monitoring records are attached. A monthly inspection was conducted at ~~San Marcos~~ and is also included in this report.

During January, 1995, Solid Waste Division staff repaired erosion damage at Poway and Encinitas and sandbagged to redirect rainwater run off at various sites. The following maintenance and repair operations were conducted:

1. Poway: The desiltation basin filled at this site and water flowed into the surrounding neighborhood. The crew cleaned the streets of mud, dug out the sedimentation pond, and sandbagged to prevent further damage in the continuing rain.
2. Gillespie: Monitoring of temperature and carbon monoxide levels in the extraction wells continued and the results were reported to your department separately.

County of San Diego
Department of Public Works
Solid Waste Division

INACTIVE LANDFILL COVER REPORT

Date: 1/26/95 Site: SAN MARCOS I
 Weather: SUNNY Inspector: M. BEZT
 Equipment: LANDSURVEYOR #16072 Calibration Date: 1/24/95

Comments: SITE HOLDING WATER (1/4" to 1") AFTER RECENT HEAVY RAINFALL. NO LOCATIONS w/ EMISSIONS WERE FOUND DUE TO WATER ON SITE.

Maintenance: _____

COVER INTEGRITY

	A	U
Top Deck:		
Ponding	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Settling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Erosion	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Slopes:		
Erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Leachate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Benches:		
Ponding	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drainage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Access Roads:		
Settling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SITE SECURITY N/A

	A	U
Perimeter Fence	<input type="checkbox"/>	<input type="checkbox"/>
Signs	<input type="checkbox"/>	<input type="checkbox"/>
Gate	<input type="checkbox"/>	<input type="checkbox"/>

MONITORING SYSTEMS N/A

Probes
 Water Runoff Test Date _____
 Migration Test Date _____

VECTORS

FIRE BREAKS

NOTIFICATION

LEA: _____
 APCD: _____

Drainage Structures:

Flume	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Channel	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A = Acceptable
 U = Unacceptable
 See Map on Reverse

EXHIBIT 20



County of San Diego

TOM GARIBAY
DIRECTOR
(619) 694-2212
FAX: (619) 268-0461
LOCATION CODE S50

DEPARTMENT OF PUBLIC WORKS

5555 OVERLAND AVE, SAN DIEGO, CALIFORNIA 92123-1295

COUNTY ENGINEER
COUNTY AIRPORTS
COUNTY ROAD COMMISSIONER
TRANSIT SERVICES
COUNTY SURVEYOR
FLOOD CONTROL
WASTEWATER MANAGEMENT
SOLID WASTE

April 14, 1995

TO: Richard J. Sommerville
Air Pollution Control District (0176)
Attention: Teresa Morris

FROM: Tom Webster, Acting Deputy Director and
San Diego Solid Waste Authority General Manager (0387)

UPDATE ON INACTIVE LANDFILL SITES FOR MARCH 1995

The purpose of this letter is to update you on inactive landfill maintenance and monthly monitoring activities for the month of March 1995. Monthly or bi-monthly landfill gas monitoring was conducted at Encinitas, Gillespie, Jamacha, Palomar Airport, Poway and Valley Center Inactive Landfills. In addition, bi-monthly cover inspections were conducted at these sites and the inspection reports and monitoring records are attached. A monthly inspection was conducted at San Marcos I and is also included in this report.

During March 1995, Solid Waste Division staff conducted maintenance and repair operations as follows:

1. San Marcos: The first phase of cover repair is completed on the southeast quadrant of this landfill. Cracks have been sealed and additional fill material has been imported for the next phase of the work.
2. Poway: Storm watch activities and maintenance of the sedimentation pond continued.
3. Gillespie: Monitoring of temperature and carbon monoxide levels in the extraction wells continued and the results were reported to your department separately.

In addition, the crew performed National Pollutant Discharge Elimination System testing on various sites during the rain.

Ms. Morris

-2-

April 14, 1995

If you have any questions, please call Bill Lindquist at (S.C. S59) 974-2763.

TW:ME:jww

Attachments

cc: Mark Alpert, Regional Water Quality Control Board,
9771 Clairemont Mesa Blvd., Suite B, San Diego, CA
92124-1331; David Byrnes, APCD (0176); Ken Calvert,
LEA (D561B)

County of San Diego
 Department of Public Works
 Solid Waste Division

INACTIVE LANDFILL COVER REPORT

Date: 3/14/95 Site: SAN MARCOS I
 Weather: DRIZZLE Inspector: M. BELT
 Equipment: LANDSURVEYOR # 110012 Calibration Date: 2/23/95

Comments: SITE SITE VERY WET. NO AREAS w/EMISSIONS IN EXCESS OF 500 PPMV.

Maintenance: CREW TO COMPLETE MINOR MAINTENANCE WITHIN ONE WEEK.

COVER INTEGRITY

	A	U
Top Deck:		
Ponding	<input type="checkbox"/>	<input type="checkbox"/>
Settling	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Erosion	<input type="checkbox"/>	<input type="checkbox"/>
Cracks	<input type="checkbox"/>	<input type="checkbox"/>
Emissions	<input type="checkbox"/>	<input type="checkbox"/>

Slopes:		
Erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Leachate	<input type="checkbox"/>	<input type="checkbox"/>
Cracks	<input type="checkbox"/>	<input type="checkbox"/>
Vegetation	<input type="checkbox"/>	<input type="checkbox"/>
Emissions	<input type="checkbox"/>	<input type="checkbox"/>

Benches: <u>N/A</u>		
Ponding	<input type="checkbox"/>	<input type="checkbox"/>
Drainage	<input type="checkbox"/>	<input type="checkbox"/>
Cracks	<input type="checkbox"/>	<input type="checkbox"/>
Emissions	<input type="checkbox"/>	<input type="checkbox"/>

Access Roads: <u>N/A</u>		
Settling	<input type="checkbox"/>	<input type="checkbox"/>
Cracks	<input type="checkbox"/>	<input type="checkbox"/>
Emissions	<input type="checkbox"/>	<input type="checkbox"/>

Drainage Structures: <u>N/A</u>		
Flume	<input type="checkbox"/>	<input type="checkbox"/>
Channel	<input type="checkbox"/>	<input type="checkbox"/>

SITE SECURITY N/A

	A	U
Perimeter Fence	<input type="checkbox"/>	<input type="checkbox"/>
Signs	<input type="checkbox"/>	<input type="checkbox"/>
Gate	<input type="checkbox"/>	<input type="checkbox"/>

MONITORING SYSTEMS N/A

Probes	<input type="checkbox"/>	<input type="checkbox"/>
Water Runoff Test Date	_____	
Migration Test Date	_____	

VECTORS

FIRE BREAKS

NOTIFICATION

LEA: _____
 APCD: _____

A = Acceptable
 U = Unacceptable
 See Map on Reverse

EXHIBIT 21

County of San Diego
 Department of Public Works
 Solid Waste Division

INACTIVE LANDFILL COVER REPORT

Date: 2/7/96 Site: Bradley Park
 Weather: Clear Inspector: T Collins
 Equipment: GMI 16069 Calibration Date: 1/9/96

Comments: deep erosion on eastern drive way
sandy import soil is holding water and causing more
infiltration - wet soil at bottom of fill
many fire carcasses in creek bed
 Maintenance: Replace missing cover from MP-5

COVER INTEGRITY

	A	U
Top Deck:		
Ponding	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Settling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	A	U
Slopes:		
Erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Leachate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	A	U
Benches:		
Ponding	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Drainage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	A	U
Access Roads:		
Settling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cracks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	A	U
Drainage Structures:		
Flume	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Channel	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SITE SECURITY

	A	U
Perimeter Fence	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

MONITORING SYSTEMS

Probes
 NPDES Observ/Test Date _____
 Migration Test Date 2/7/96

VECTORS

FIRE BREAKS

NOTIFICATION

LEA: NA
 APCD: _____

A = Acceptable
 U = Unacceptable
 See Map on Reverse

EXHIBIT 22



California Regional Water Quality Control Board

San Diego Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb9>
9771 Clairemont Mesa Boulevard, Suite A, San Diego, California 92124-1324
Phone (619) 467-2952 ♦ FAX (619) 571-6972

Gray Davis
Governor

January 29, 1999

Mr. Garth Koller
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069-2949

Dear Mr. Koller:

RESPONSE TO YOUR LETTER DATED DECEMBER 3, 1998 REGARDING PRELIMINARY SITE PLAN FOR BRADLEY PARK

We have reviewed your letter dated December 3, 1998 and the limited geotechnical investigation for the proposed expansion of Bradley Park. As noted in our letter dated November 15, 1998, we believe that the addition of moisture to the landfill may exacerbate existing impacts to ground water quality. The description of the proposed irrigation system does not appear to provide adequate mitigation to prevent additional moisture from being added to the buried waste.

Comments on the Limited Geotechnical Investigation

The limited geotechnical investigation includes soil logs from fourteen trenches and evaluates the effectiveness of the landfill "cap" based on soil classification, sieve analysis and estimated relative compaction of the soil. Trenching was performed in the proposed parking area and the proposed turf/picnic area. The investigation assumed that a landfill cap was installed and met hydraulic conductivity requirements at the time of landfill closure. The soil logs show the presence of clayey materials at different depths in the expansion areas. However, it does not demonstrate that the assumption of the installation of a low permeable clay cap as final cover is correct.

The soil logs indicate that all trenches were either moist or very moist throughout the entire depth. Based on this information, it appears the soil cover is moist in an area which is currently nonirrigated open space and that the existing cover does not provide adequate protection against infiltration from the proposed irrigation system.

It is imperative that mitigation measures which prevent infiltration be implemented. Mitigation measures could include, but not be limited to, an irrigation system designed with a moisture monitoring system which would determine when irrigation of the turf area is necessary and would detect failure of the irrigation system, an alarm system which would detect failure of the irrigation system and mitigation measures to offset the effects of landfill settlement.

California Environmental Protection Agency

Conclusion

In conclusion, we do not concur with the limited technical investigation's assertion that adequate mitigation measures have been added to the proposed irrigation system. If you proceed with the project as described without additional mitigation measures for the proposed irrigation system, we will recommend the Regional Board adopt an enforcement action, such as a Cease and Desist Order against the City of San Marcos.

If you have any questions, please contact Ms. Carol Tamaki at (619) 467 - 2982.

Sincerely,



JOHN H. ROBERTUS
Executive Officer

Enclosures

cc: Bill Lindquist, Inactive Waste Site Management, Department of Public Works, County of San Diego

Michele Stress, Department of Environmental Health, County of San Diego

Glenn Young, California Integrated Waste Management Board, Sacramento

Leah Rose, City of San Marcos

EXHIBIT 23



CHRISTIAN WHEELER
ENGINEERING

REVISED RECOMMENDATIONS FOR THE LIMITING OF MOISTURE
INFILTRATION

PROPOSED BRADLEY PARK TURF AREA
RANCHO SANTA FE ROAD AND LINDA VISTA DRIVE
SAN MARCOS, CALIFORNIA

PREPARED FOR:

MR. OMAR DAYANI
CITY OF SAN MARCOS
1 CIVIC CENTER DRIVE
SAN MARCOS, CALIFORNIA 92069

PREPARED BY:

CHRISTIAN WHEELER ENGINEERING
4925 MERCURY STREET
SAN DIEGO, CALIFORNIA 92111



CHRISTIAN WHEELER
ENGINEERING

March 21, 1999

City of San Marcos
1 Civic Center Drive
San Marcos, California 92069

CWE 198.134.2

ATTENTION: Omar Dayani

SUBJECT: Revised Recommendations for the Limiting of Moisture Infiltration
Proposed Bradley Park Turf Area
Rancho Santa Fe Road and Linda Vista Drive
San Marcos, California

REFERENCE: Preliminary Recommendations for the Prevention of Moisture Infiltration,
Bradley Park Turf Area, by Christian Wheeler Engineering, dated
December 28, 1998.

Gentlemen and Ladies:

In accordance with your request, this report has been prepared to present revised recommendations to seal off the buried trash in the inactive Linda Vista Landfill from infiltration of future irrigation water once a portion of the area is converted into a turf playing field. The area of the old landfill is now referred to as Bradley Park. We understand that at this time it is proposed to install turf and a landscape irrigation system for a play field in an unused area of the park. The play field will be about 300 feet long by 185 wide and will be located in the central area of the old landfill as indicated on the attached site plan. However, we understand that at some future time the remaining unused areas of the park may be converted to turf play areas with a landscape irrigation system.

To aid in the preparation of this report, we were provided with a grading plan for the turf play area prepared by Luttio Engineering dated December 12, 1998. A copy of this plan was used as our site plan and is included herewith as Plate No. 1. A review of the grading plan indicates that the

proposed grading will be limited to cuts of about six inches or less and fills up to about two the three feet thick. We were also provided with a Report of Limited Geotechnical Investigation prepared by Western Soil and Foundation Engineering, Inc., dated April 10, 1998.

We also understand that monitoring reports by the County of San Diego indicate that the ground water in the area has been impacted by the inactive landfill. In addition, we understand that the California Regional Water Quality Control Board is concerned that the irrigation system for the proposed turf play field may exacerbate the existing ground water impacts. Based on this, they have recommended that mitigation measures be implemented to prevent further impact to the landfill by the turf irrigation system.

Our previous report referenced above provided preliminary recommendations to seal off the landfill from infiltration of water from the turf irrigation system. The recommendations presented in that report were intended to completely seal off the trash from water infiltration. We understand that the method we recommended to seal off the landfill has turned out to be cost prohibitive for the type of improvements proposed. As indicated by a report by Western Soil and Foundation Engineering, Inc., the landfill is capped with a layer of relatively impermeable, clayey soil. Logs of their test trenches excavated in the area of the proposed turf play field are presented on the attached Plate Nos. 2 through 7. The locations of the test trenches are indicated on the site plan included herewith as Plate No. 1. In consideration that some water is presently still infiltrating the landfill through the clay cap, the possibility of using a less stringent and less costly method to seal off the trash that may not entirely eliminate infiltration of irrigation water, but would minimize the infiltration, is worth considering. Based on this, the following recommendations are presented.

RECOMMENDATIONS

In order to minimize the infiltration of irrigation water into the landfill, we recommend that a drainage blanket be install below the turf area to intercept and drain off water that infiltrates the ground. The drainage blanket should consist of a six-inch-thick layer of clean, washed, permeable sand sandwiched between a 10-mil visqueen membrane and a filter fabric such as Mirafi 140N, as indicated on the details presented on Plate No. 8. The visqueen membrane should installed in a direction perpendicular to the gradient of the prepared subgrade beneath the drainage barrier. Joints in the visqueen should be overlapped and be made in a manner that will allow drainage to flow from one sheet onto the next. See Plate No. 8 for details on the installation of the visqueen. The washed sand placed over the visqueen should have no material larger than the Standard No. 4 Sieve and less

than ten percent and five percent finer than the Standard No. 100 Sieve and the Standard No. 200 Sieve, respectively. The filter fabric should be placed over the sand to prevent infiltration of fine soil particles that could clog the drainage blanket.

In consideration that the irrigation system will be 18 inches below the ground surface, we recommend that the drainage blanket be installed at a depth of at least 24 inches below grade. This will require removing the upper 24 inches of soil and replacing it after the drainage blanket is installed.

The proposed grading will consist of cuts of up to about six inches below existing grades in the southeast portion of the turf area. An additional two feet will be removed for construction of the drainage blanket. Based on the test trenches excavated by Western Soil and Foundation Engineering, Inc., the existing clay cap will be removed in some areas by the proposed cuts and the undercut for the drainage blanket. In particular, this will occur in the area of Trench No. T-5 where very little cut or fill is proposed. The clay cap in that area is only one foot thick and the top is only six inches below existing grade. Therefore, it is recommended that in the areas where the clay cap will be removed, an additional foot of soil beneath the recommended drainage blanket be removed and replaced with a layer of clay. The clays encountered within the excavation areas should be separated out and stockpiled for later use to reconstruct the clay cap under the drainage blanket. The reconstructed clay cap should be sloped at a gradient of at least three (3) percent towards the north and should be compacted to at least 90 percent relative compaction. The fill material placed over the drainage blanket should be compacted to at least 85 percent relative compaction.

At the two low sides of the drainage blanket, a subdrain should be installed to collect the water drained off by the sand blanket. This drain should consist of a 4-inch diameter Schedule 80 perforated pipe surrounded by one cubic foot per linear foot of three-quarter inch rock. The visqueen membrane should extend under the pipe, up the outside of the subdrain. The Mirafi filter fabric should also extend under the pipe and around the rock in such a manner to prevent the adjacent soil from infiltrating into and clogging the rock surrounding the pipe. Plate No. 8 shows the recommended detail of the subdrain construction. This pipe should be connected to a solid pipe that outlets into the creek bed located just north of the proposed play field.

LIMITATIONS

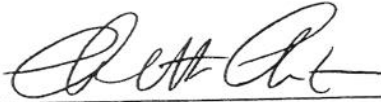
The recommendations and opinions expressed in this report reflect our best estimate of the project requirements based on an evaluation of the subsurface soil described by Western Soil and Foundation Engineering, Inc. and the assumption that the conditions do not deviate appreciably from those encountered. It should be recognized that the performance of the recommended drainage blanket might be influenced by undisclosed or unforeseen variations in the soil conditions that may occur in the intermediate and unexplored areas. Any unusual conditions not covered in this letter or in the reports reviewed in the preparation of this letter that may be encountered during the construction of the drainage blanket should be brought to the attention of the geotechnical engineer so that he may make modifications if necessary. In addition, this office should be advised of any changes in the project scope or proposed site grading so that it may be determined if the recommendations contained herein are appropriate. This should be verified in writing or modified by a written addendum.

CLOSURE

This opportunity to be of professional service is sincerely appreciated. If you have any questions after reviewing this letter, please do not hesitate to contact this office.

Respectfully submitted.

CHRISTIAN WHEELER ENGINEERING



Charles H. Christian, RGE # 00215



cc: (6) Submitted

EXHIBIT 24

Development Services-Engineering
1 Civic Center Drive
San Marcos, CA 92069-2918



Telephone
760.744.1050
FAX: 760.591.4135

August 17, 2000

Mr. John H. Robertus
California Regional Water Quality Control Board
9771 Clairemont Mesa Boulevard, Suite A
San Diego, CA 92124-1324

Dear Mr. Robertus:

The City is in receipt of your letter with regard to a complaint from the County of San Diego, Inactive Waste Site Management, concerning drainage from the new ball field at Bradley Park, dated July 17, 2000.

As it was outlined in the letter from the City to the County of San Diego dated June 27, 2000, the minor runoffs discovered during the site inspection by the Regional Board staff was due to periodic over watering. The contractor had been wrongfully over watering the field, which was recently hydroseeded to expedite the growth. The contractor was notified and field irrigation was adjusted accordingly. Currently, City staff maintains the new ball field and irrigation cycles and intervals are closely monitored via computers and full time staff dedicated to Bradley Park.

The City of San Marcos has implemented the following mitigation measures as outlined in the engineering report dated May 11, 1999, which was presented to the Regional Board:

1. A 20-mil visqueen liner to collect the excess irrigation water underlying the entire ball field.
2. Any irrigation water runoff is directed towards the existing creek approximately 150 feet north of the new ball field. During normal irrigation cycles the flow from the drainage pipe was measured to be less than 0.0004 CFS which hardly can be classified as a flow.
3. The irrigation controller consists of an advanced computerized system with fully automatic flow control and alarm.

As of August 9, 2000 the contractor's maintenance period was concluded and the City has significantly reduced the irrigation duration and intervals.

The City strongly believes the ball field improvements and the implemented mitigation measures to prevent infiltration to the landfill are in accordance with the approved engineering report and the infinitesimal additional runoffs to the existing creek does not impose any future problems for the Linda Vista Landfill.

Enclosed as you have requested, please find the following information:

1. Certification of Compliance with regard to the mitigation measures in accordance with the engineering report transmitted by letter from the City dated May 11, 1999.

CITY COUNCIL:

F.H. "Corky" Smith, Mayor Pia Harris-Ebert, Vice-Mayor Hal Martin Jim M'Auley Mark Rozmus

2. A copy of the as-built plans for the entire improvements constructed during this phase of construction.
3. A map with the landfill footprint.

We will be happy to meet with your staff and demonstrate the extent of the mitigation measures in place and the quality and quantity of runoffs at this location.

If you have any questions or concerns, please feel free to call Omar Dayani at (760) 744-1050 extension 3255.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



Alan F. Schuler, P.E.
City Engineer

OD:rl

cc: Michele Stress, Department of Environmental Health, County of San Diego
Jon Rollin, Inactive Waste Management, County of San Diego
Candace Gibson, Inactive Waste Management, County of San Diego
Carol Tamaki, California Regional Water Quality Control Board
Paul Malone, Assistant City Manager, City of San Marcos
Mike Mercereau, Public Works Director, City of San Marcos

EXHIBIT 25

MCMASTER JACKSON, INC

■ 7918-N El Cajon Blvd #353
■ La Mesa, CA 91941
■ Phone: 619-749-4402
■ Fax: 619-401-3402
■ www.mcmasterjackson.com

February 6, 2007

City of San Marcos
201 Mata Way
San Marcos, CA 92069-2948

Attn: Sheila Busch

Sheila,

Attached is copy of water usage report for Bradley Park for your files. Thanks again for the opportunity to perform water usage analysis. Please call me if you have any questions.

Sincerely,

MCMASTER & JACKSON. INC

Mark McMaster

Mark McMaster

Attached: Bradley Park Report

**City Of San Marcos
Bradley Park
Preliminary Irrigation Analysis
January 2007**

A preliminary water usage analysis was conducted for Bradley Park in the City of San Marcos in January 2007. Irrigation water usage amounts for the calendar years 2004 through 2006 was obtained from Vallecitos Water District for the irrigation meters at Bradley Park. The City of San Marcos Parks Department provided the landscaped area measurements for the upper and lower areas at the park site. The weather data was obtained from California Irrigation Management Information System (CIMIS) Escondido weather station.

The tables and charts in this report detail the Evapotranspiration rate data, rainfall, actual water usage, projected water consumption, and excess (or deficit) usage. The data is broken down by Upper and Lower Bradley Park as separate water meters supply the upper and lower park areas. The following was used in calculating the projected water usage:

- Evapotranspiration (ET) data was obtained from the CIMIS station in closest proximity to the City of San Marcos. This most closely represents the ET for the City of San Marcos. Table 1.0 illustrates the ET data for the years 2004 through 2006, Chart 1.0 graphically illustrate the data.
- The crop coefficients (Kc) used in the calculations are from the University of California Cooperative Extension. Table 2.0 illustrates the monthly Kc values for the warm season turf varieties found at Bradley Park.
- The distribution uniformity used in the calculation is 0.60; this is an average uniformity for the sprinkler head types found at Bradley Park.
- Table 3.0 details the monthly water usage amounts from billing history provided by the Vallecitos Water District, and the projected water usage. Charts 2.0 through 5.0 graphically illustrate the data.

Based upon the data reviewed, the irrigation program at Bradley Park is one of primarily deficit irrigation for turf variety type found throughout park site and field usage. For the upper field 27 of the 36 months reviewed showed deficit irrigation for turf type. Of the "excess" months, 8 of the 9 months were in the summer and early fall when turfgrass needs and site usage would tend to dictate higher irrigation amounts. For the lower field 23 of the 36 months reviewed showed deficit irrigation for turf type. Of the "excess" months, 10 of the 13 months were in the summer and early fall when turfgrass needs and site usage would tend to dictate higher irrigation amounts.

Table 1.0 – Escondido CIMIS station (#153) Historical Data (2004-2006)

Month	2004		2005		2006	
	ETo (in)	Rain (in)	ETo (in)	Rain (in)	ETo (in)	Rain (in)
Jan	2.26	0.48	1.87	6.25	2.78	0.63
Feb	2.76	3.62	1.91	5.09	3.19	1.72
Mar	4.58	0.64	3.73	1.59	3.36	2.48
Apr	5.19	0.67	5.00	1.27	4.09	1.64
May	6.94	0.00	5.99	0.65	5.72	0.39
Jun	6.42	0.00	6.02	0.02	6.65	0.02
Jul	7.49	0.00	7.33	0.01	6.91	0.16
Aug	6.74	0.03	6.65	0.00	6.66	0.00
Sep	5.82	0.01	5.33	0.02	5.57	0.01
Oct	3.36	5.60	3.67	1.06	3.91	0.30
Nov	2.42	0.39	2.92	0.01	2.87	0.29
Dec	2.31	3.48	2.10	0.23	2.62	1.09
Total	56.29	14.92	52.52	16.20	54.33	8.73

Table 2.0 – Warm Season Crop Coefficients (Kc)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Kc	0.55	0.54	0.76	0.72	0.79	0.68	0.71	0.71	0.62	0.54	0.58	0.55

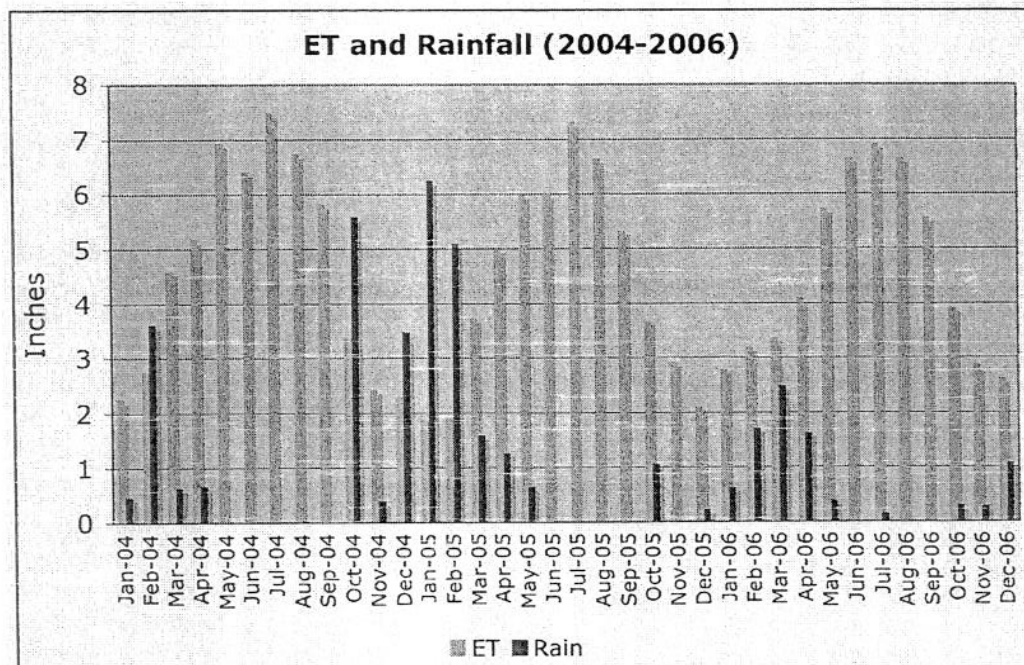


Chart 1.0 – Evapotranspiration and Rainfall Summary (2004-2006)

Table 3.0 – Irrigation Water Usage, Projected Water Consumption (2004 - 2006)

Month	Upper Park (Account # 102136200)			Lower Park (Account #101806040)		
	Usage (HCF*)	Projected (HCF*)	Excess / (Deficit)	Usage (HCF*)	Projected (HCF*)	Excess / (Deficit)
Jan-04	133	491	(358)	70	325	(255)
Feb-04	31	600	(569)	0	398	(398)
Mar-04	51	996	(945)	0	660	(660)
Apr-04	525	1128	(603)	310	747	(437)
May-04	934	1509	(575)	821	1000	(179)
Jun-04	1628	1396	232	843	925	(82)
Jul-04	1390	1628	(238)	965	1079	(114)
Aug-04	1772	1465	307	1139	971	168
Sep-04	1622	1265	357	997	838	159
Oct-04	1158	731	427	878	484	394
Nov-04	353	526	(173)	260	349	(89)
Dec-04	223	502	(279)	82	333	(251)
Jan-05	18	407	(389)	21	269	(248)
Feb-05	30	415	(385)	1	275	(274)
Mar-05	25	811	(786)	2	537	(535)
Apr-05	185	1087	(902)	94	720	(626)
May-05	660	1302	(642)	554	863	(309)
Jun-05	1172	1309	(137)	913	867	46
Jul-05	1575	1594	(19)	884	1056	(172)
Aug-05	1428	1446	(18)	1136	958	178
Sep-05	1684	1159	525	1196	768	428
Oct-05	996	798	198	769	529	240
Nov-05	453	635	(182)	339	421	(82)
Dec-05	454	457	(3)	350	302	48
Jan-06	54	604	(550)	14	400	(386)
Feb-06	25	694	(669)	1	459	(458)
Mar-06	220	731	(511)	99	484	(385)
Apr-06	36	889	(853)	10	589	(579)
May-06	263	1244	(981)	186	824	(638)
Jun-06	779	1446	(667)	675	958	(283)
Jul-06	1424	1502	(78)	1106	995	111
Aug-06	1591	1448	143	1044	959	85
Sep-06	1621	1211	410	1165	802	363
Oct-06	1044	850	194	764	563	201
Nov-06	543	624	(81)	425	413	12
Dec-06	297	570	(273)	201	377	(176)
Totals	26397	35470	(9073)	18314	23496	(5182)

HCF [Hundred Cubic Feet] (1 HCF = 748 gallons)

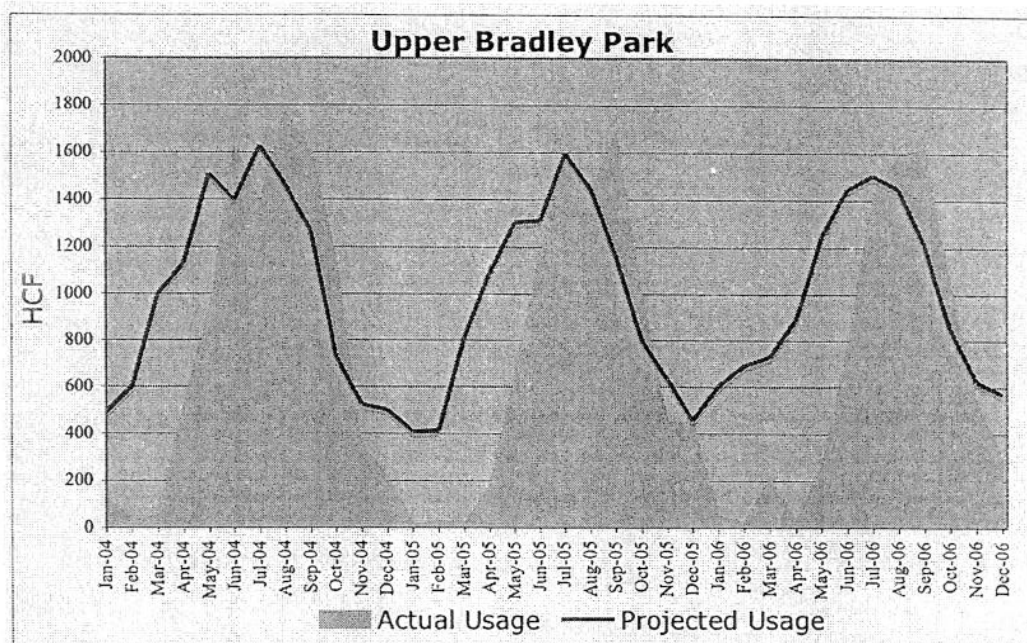


Chart 2.0 – Upper Bradley Park, Actual Water Usage vs. Projected Water Usage

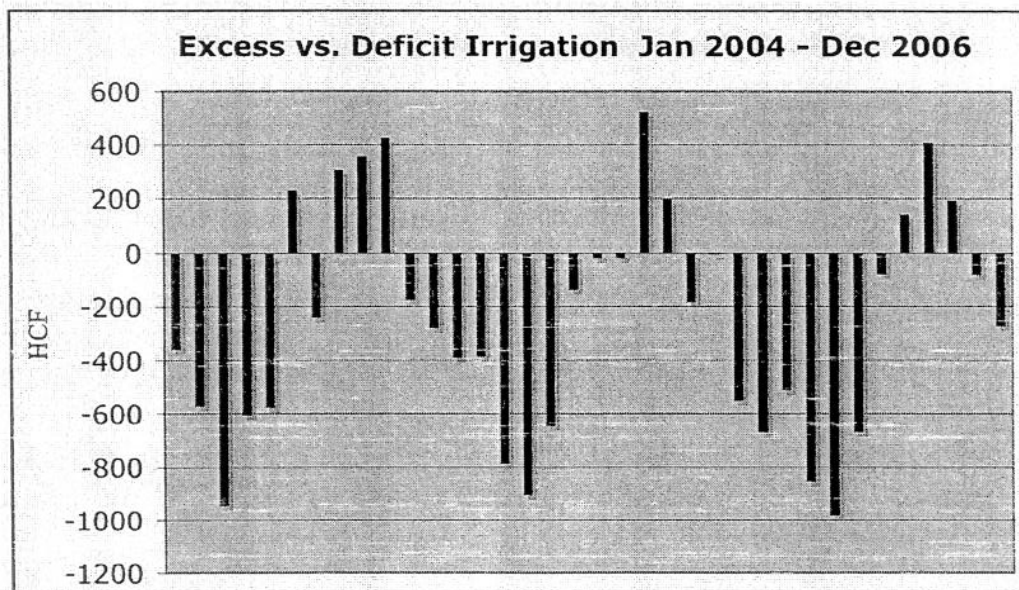


Chart 3.0 – Upper Bradley Park, Excess vs. Deficit Irrigation

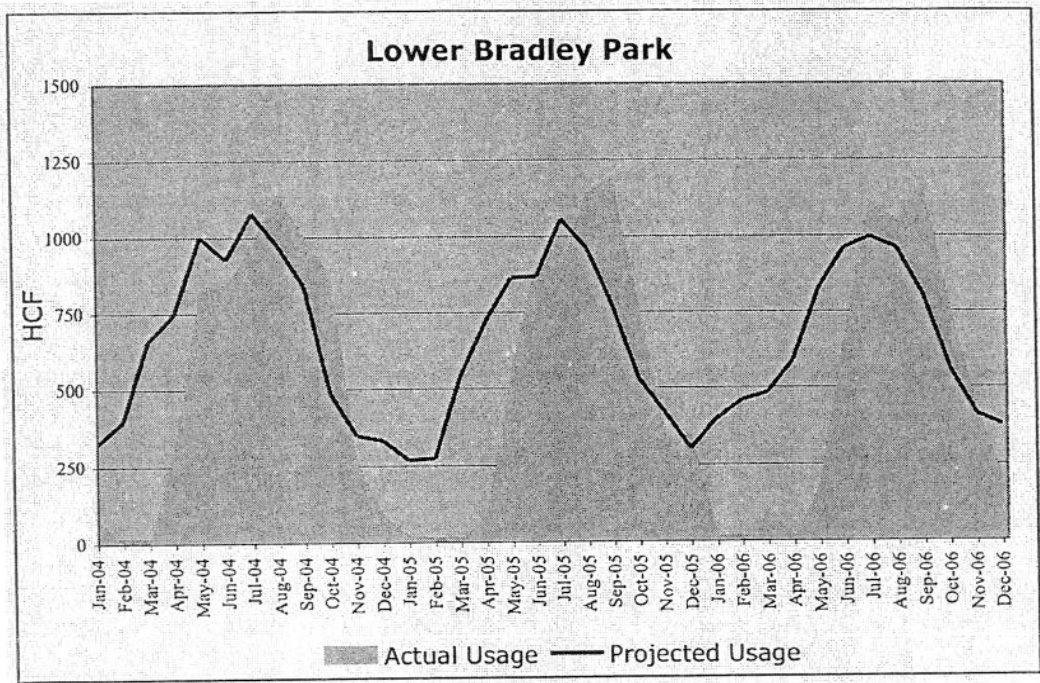


Chart 4.0 - Lower Bradley Park, Actual Water Usage vs. Projected Water Usage

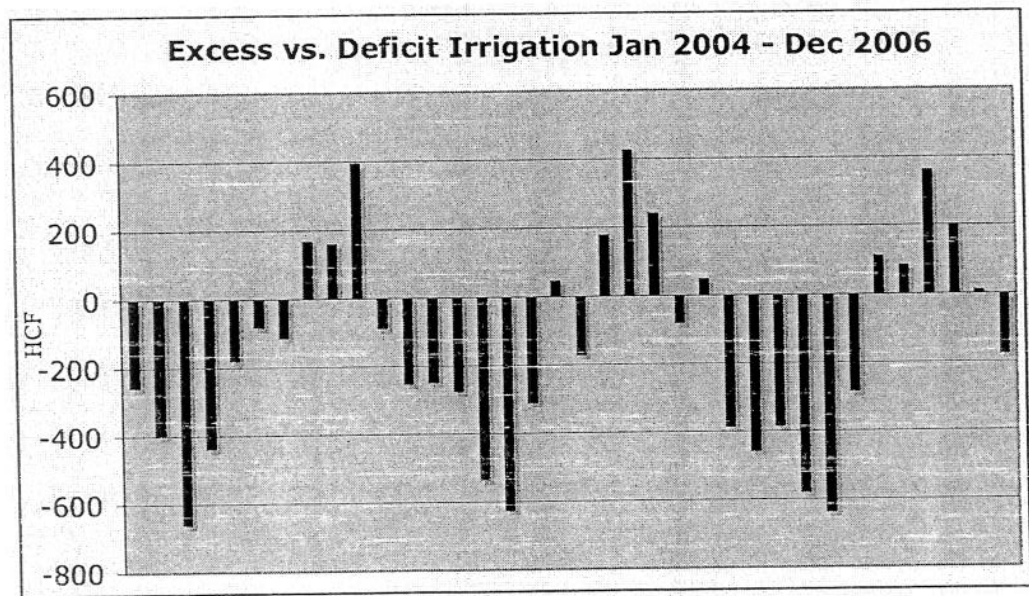


Chart 5.0 - Lower Bradley Park, Excess vs. Deficit Irrigation

EXHIBIT 26

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

9771 Clairemont Mesa Blvd., Ste. B
San Diego, California 92124-1331
Telephone: (619) 265-5114

GEORGE DEUKMEJIAN, Governor

HMMU
SEP 8 2 45 PM '87



September 4, 1987

Roger Walsh, Chief Deputy Director
Department of Public Works
County of San Diego
5555 Overland Avenue, Building 2
San Diego, California 92123-1295

Dear Mr. Walsh;

CLOSURE REQUIREMENTS, ~~LINDA VISTA (OLD SAN MARCOS) LANDFILL~~

We received a copy of your letter to Paul Malone, Administrative Assistant, City of San Marcos, dated April 14, 1987. In the letter you commented on the monitoring activities the County will undertake at the Linda Vista (Old San Marcos) Landfill in the future and on closure of the landfill site. The purpose of this letter is to provide our comments concerning closure of the landfill site.

In a letter to us dated December 23, 1987, Paul Malone inquired about closure requirements for the subject landfill. Mr. Malone also indicated that the County of San Diego will assume responsibility for post-closure activities at the disposal site. Our response, dated March 16, 1987, indicated what information would need to be included in a Report of Waste Discharge (RWD), in application for closure requirements.

We have comments on two points made in your letter of April 14, 1987. First, as indicated in our March 16, 1987 letter referenced above, it will be necessary for the Regional Board to adopt Waste Discharge Requirements for closure of the landfill site. The letter is attached for your review. We also indicated this to Bob Erickson of your staff on May 8, 1987, and provided a copy of the letter at that time.

Second, the State Water Resources Control Board (State Board) ranking of disposal sites for the Solid Waste Assessment Test (SWAT) program does not supersede, nor does it establish a timeline for compliance with California Administrative Code, Title 23, Chapter 3, Subchapter 15 "Discharges of Waste to Land." In fact, the ranking on the SWAT list is subject to change as more sites are added and adjustments are made to the list of ranked sites. The State Board plans to revise and update the list on a yearly basis.

L.O. -

- ① letter to MWRQCB - we want to comment
- ② call Ray Swire to discuss status of closure

Roger Walsh

-2-

September 04, 1987

Since the City of San Marcos has placed a high priority on developing this site and requested the timely issuance of closure requirements, we request that your office submit a RWD in application for closure requirements for the subject landfill at the earliest possible time. The enclosure, entitled "Closure Requirements for Nonhazardous Solid Waste Disposal Sites," provides a list of the information necessary to demonstrate compliance with Subchapter 15 requirements.

If you have any questions, please contact Mr. Mark Alpert at (619) 265-5114.

Very Truly Yours,

Bruce W. Posthumus

BRUCE W. POSTHUMUS
Senior Engineer

cc: Paul Malone
Administrative Assistant
City of San Marcos
105 W. Richmar Avenue
San Marcos, California 92069

David Marx
Senior Hazardous Materials Management Specialist
Department of Health Services
County Of San Diego
1700 Pacific Highway
San Diego, California 92101

MJA:ma

EXHIBIT 27



California Regional Water Quality Control Board

San Diego Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb9/>
9771 Clairemont Mesa Boulevard, Suite A, San Diego, California 92124-1324
Phone (858) 467-2952 • FAX (858) 571-6972

Gray Davis
Governor

June 30, 1999

Mrs. Leah Rose-Goodwin
Administrative Analyst
City of San Marcos
1 Civic Center Drive
San Marcos, California 92069-2949

*Paul: Thought you'd
be interested in the
last paragraph.
(This is part of our Bradley
FILE NO. 06-0022.02
Park Environ. Processing-
Final Hurdle)*

Dear Mrs. Rose-Goodwin:

MITIGATION MEASURES PROPOSED FOR BRADLEY PARK

As you know, by letters dated November 17, 1998 and January 29, 1999, we expressed our concern regarding the potential adverse impact of additional moisture from the proposed irrigation system and turf area above the former Linda Vista Landfill (also known as San Marcos I). In response to our concerns, you transmitted an engineering report, by letter dated May 11, 1999, which recommends the use of a drainage blanket consisting of a 10 mil visqueen liner, sand layer and filter fabric, along with a subdrain, to minimize infiltration of moisture from the proposed irrigation system. Based on a telephone conversation with Mr. Omar Dayani of your staff, a 20 mil visqueen liner will be utilized for this project instead of the 10 mil liner proposed in the engineering report. We also understand that the subdrain will discharge to a dry creek bed, a tributary to San Marcos Creek. Other mitigation measures have also been designed, including an irrigation system with an emergency alarm and shut off system. We believe that these mitigation measures will help in preventing infiltration from the irrigation system.

Although the affects of infiltration into the landfill may be mitigated by the above design, we will continue to be concerned regarding the impacts of landfill settlement on the proposed irrigation system. Your information in the Negative Declaration for the project indicates that the City of San Marcos will routinely inspect Bradley Park for evidence of subsidence and/or broken water lines. We also recommend that the subdrain to the dry creekbed be included in your site inspections.

The engineering report also states that in the near future, the remaining unused areas of Bradley Park (which overly the Linda Vista Landfill) may be converted to turf areas with a landscape irrigation system. If the City of San Marcos decides to provide additional turf areas above the landfill footprint, we expect the City of San Marcos to implement equivalent protection against infiltration of irrigation water into the landfill.

In our letter dated November 17, 1998, we stated that we may consider adding the Linda Vista Landfill to Order No. 97-11, General Waste Discharge Requirements for Post-Closure

California Environmental Protection Agency

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CSM 003830

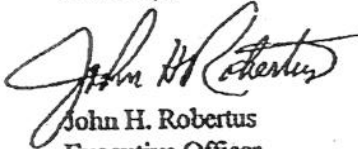
June 30, 1999

Maintenance of Inactive Nonhazardous Waste Landfills Within the San Diego Region. At this time, we are planning to add Linda Vista Landfill to the list of inactive landfills subject to Order No. 97-11 which will include both the City of San Marcos and the County of San Diego as responsible parties for permit compliance. This will require that both the City of San Marcos and the County of San Diego to: 1) develop post-closure maintenance plans to minimize erosion and ponding on the landfill cover; and 2) develop water quality monitoring programs. As part of the monitoring program for the Linda Vista Landfill, you will be required to monitor the discharge from the subdrain pipe to the dry creekbed.

We will notify you when the update to Order No. 97-11 is presented to the Regional Board.

If you have any questions, please contact Ms. Carol Tamaki at (858) 467 - 2982.

Sincerely,


John H. Robertus
Executive Officer

7/6/99
Spoke w/ Carol.
She said we'd be
notified prior to
the order being
issued.

cc: Jon Rollin, Inactive Waste Site Management, County of San Diego
Michele Stress, Department of Environmental Health, County of San Diego

California Environmental Protection Agency

Recycled Paper

EXHIBIT 28



California Regional Water Quality Control Board San Diego Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb9/>
9771 Clairemont Mesa Boulevard, Suite A, San Diego, California 92124-1324
Phone (619) 467-2952 • FAX (619) 571-6972

Gray Davis
Governor

May 4, 2000

Mr. Paul Malone
Assistant City Manager
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069-2949

Dear Mr. Malone:

File No. 06-0022.02

RESPONSIBILITY FOR OLD SAN MARCOS LANDFILL

We have reviewed your letter dated April 26, 2000 that asserts the City of San Marcos is not responsible for the maintenance of Old San Marcos Landfill. As your letter points out, the County of San Diego operated the Old San Marcos Landfill from 1956 to 1968, and under an agreement with the City of San Marcos, the County of San Diego continues to take responsibility for maintenance and monitoring of the landfill.

You should be aware of a recent decision by the Fourth Appellate District, Division One (Case Nos. D032097 consolidated with D031660) regarding landfill operator liability for the Duck Pond Landfill. The Court found that the landfill operator (County of San Diego) is exempt from liability under Water Code Section 13304(f) for discharges which occurred prior to 1981 (the effective date of this Water Code Section). This determination was based on a lack of evidence in the record to establish that discharges to ground water were occurring prior to 1981, or that the County of San Diego engaged in acts that were illegal after 1981 that led to discharges of contaminants into waters of the State. A copy of the Court decision is attached.

The circumstances of the Old San Marcos Landfill are very similar to those in the Duck Pond Landfill ruling. Based on the Appellate Court decision, this Regional Board will not pursue naming the County of San Diego on Order No. 97-11 as a responsible party for the Old San Marcos Landfill. However, naming the City of San Marcos, the owner of the land underlying the waste, as responsible for ongoing maintenance, monitoring, and corrective action is consistent with state regulations and Order No. 97-11. Therefore, we will recommend that the Regional Board name the City of San Marcos as a responsible party subject to Order No. 97-11. As an alternative to adding the City of San Marcos to Order No. 97-11 the Regional Board could issue a Cleanup and Abatement Order naming the City of San Marcos as the responsible party to perform landfill maintenance as a preventative measure to pollution.

We're just concerned about county's responsibility & liability going forward



If you have evidence to establish that pre-1981 landfill discharges were illegal at that time, or that the County of San Diego engaged in acts that were illegal since 1981 that led to discharges of contaminants into waters of the State, the Regional Board will reconsider naming the County of San Diego on Order No. 97-11.

If you have any questions, please contact Ms. Carol Tamaki at (858) 467 – 2982.

Sincerely,



JOHN H. ROBERTUS
Executive Officer

Enclosure

JHR:mja:cat

File:bradleyrp9711.doc

cc: Jon Rollin, Inactive Waste Site Management, County of San Diego

Michele Stress, Department of Environmental Health, County of San Diego