







2008/11/18





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# CITY OF POWAY



MICKEY CAFAGNA, Mayor  
BOB EMERY, Deputy Mayor  
MERRILEE BOYACK, Councilmember  
DON HIGGINSON, Councilmember  
BETTY REXFORD, Councilmember

May 19, 2008

## NOTICE OF VIOLATION

### Property Owner

Lori C. Moritz  
Bill Moritz  
14272 Jerome Drive  
Poway, CA 92064

Subject: Illegal Grading at 14272 Jerome Drive (APN: 321-040-49)

Dear Property Owner:


Recent inspections by the Poway Engineering Inspectors have revealed the following Poway Municipal Code (PMC) Violations:

- 1) Material has been deposited into a watercourse which may impede the flow of water (PMC 16.58.020(A)).
- 2) The surface of land has been altered so as to reduce the capacity of a watercourse (PMC 16.58.030(B)).

You have been notified of these violations by Engineering Staff in writing and in person, and you have contacted city staff with your plans to remedy them. The violations have not been corrected, however. **Please correct the above violations by June 2, 2008.** If you have specific questions about correcting these violations, please contact Sam Tadros, Land Development Engineer, at (858) 668-4652.

**Failure to correct these violations may result in administrative citations, a Notice of Violation recorded on your property, and referral to the City Attorney.** Thank you for your cooperation in this matter. I may be reached at (858) 668-4663 or (858) 668-4668. My fax number is (858) 668-1212.

Sincerely,  
DEVELOPMENT SERVICES DEPARTMENT

  
Tomás Borobia  
Code Compliance Officer

c: Sam Tadros, Development Services, Land Development Engineer  
Danis Bechter, Engineering Inspection Supervisor

M:\planning\Tommy\Courtesy\Improvements\Grading.docx  
City Hall Located at 13325 Civic Center Drive  
Mailing Address: P.O. Box 789, Poway, California 92074-0789 • (858) 668-4400



Exhibit 12



Dr. Bill & Lori Moritz  
14272 Jerome Drive  
Poway, Ca 92064  
858 735-5589

City of Poway  
PO Box 789  
Poway, CA 92074

Attn:

Tomas Borobia	Code Compliance Officer
Sam Tadros	Land Development Engineer
Danis Bechter	Engineering Inspection Supervisor

Subject: Property damage, storm water & silt management, landscaping

Date: 21 May 08

We are in receipt of the 'Notice of Violation' dated 19 May 08 and wish to thank you for finally allowing us to complete the repair of the damage to our property caused by the diversion of storm water onto our property.

Had the repairs not been stopped in February, the work would have been completed. None-the-less, we will attempt to complete the work on or before 02 Jun 08, per your request.

However, since we never heard back from you regarding the plan we submitted almost two months ago, we contacted the state in order to resolve the issue and, therefore, will be implementing that plan for storm water and silt management.

Respectfully,

Dr. Bill Moritz



Exhibit 13



MORITZ PROPERTY  
 14272 JEROME DRIVE  
 POWAY, CA 92064

Invoice # : 218522  
 Project : SC0488  
 Invoice Date : 8/28/2008  
 Project Name : MORITZ PROPERTY

ATTENTION: DR. BILL MORITZ

For Professional Services Rendered through transaction date: 8/28/2008

ANY QUESTIONS OR COMMENTS REGARDING THIS INVOICE  
 MAY BE DIRECTED TO MR. VERYL WITTIG AT (858) 674-6559

PHASE 01

Professional Services	\$18,525.00
Communications Fee	\$555.75
Reimbursable Expenses	\$1,207.21
Current Invoice	\$20,287.96

**\*\*Amount Due This Invoice (Retainer applied)\*\*** **\$10,287.96**

Statement

Prior Billings	\$0.00	Project Budget	\$20,800.00
Current Invoice	\$20,287.96	Billed to Date	\$20,287.96
Billed To Date	\$20,287.96	Contract Balance	\$512.04
Paid To Date (Retainer)	\$10,000.00	<b>**Amount Due This Invoice**</b>	<b>\$10,287.96</b>





Phase : P1) SITE RECONNAISSANCE &amp; SCOPING

Task : T1) SITE RECONNAISSANCE &amp; SCOPING

## Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>CLERICAL ASSISTANT</b>				
<b>GENERAL</b>				
HAMILTON, WENDY	08/15/2008	0.50	45.00	22.50
Total: CLERICAL ASSISTANT		<u>0.50</u>		<u>22.50</u>
<b>ADMINISTRATIVE ASSISTANT</b>				
<b>ACCOUNTING - PROJ. MGMT REPORTING</b>				
BLACKBURN, YVONNE	08/08/2008	0.75	60.00	45.00
Total: ADMINISTRATIVE ASSISTANT		<u>0.75</u>		<u>45.00</u>
<b>CADD/DRAFTING TECHNICIAN</b>				
<b>CADD TIME</b>				
DUNCAN, MARK	08/11/2008	8.00	98.00	784.00
	08/14/2008	6.00	98.00	588.00
	08/15/2008	3.50	98.00	343.00
Total: CADD/DRAFTING TECHNICIAN		<u>17.50</u>		<u>1,715.00</u>
<b>STAFF PROFESSIONAL</b>				
<b>GENERAL</b>				
MATHEW, ANN	08/06/2008	4.00	110.00	440.00
	08/08/2008	0.75	110.00	82.50
Total: STAFF PROFESSIONAL		<u>4.75</u>		<u>522.50</u>
<b>SENIOR STAFF PROFESSIONAL</b>				
<b>GENERAL</b>				
TRIPOLITIS, VICKI	08/04/2008	1.25	130.00	162.50
	08/08/2008	6.00	130.00	780.00
	08/11/2008	11.00	130.00	1,430.00
<b>GEOGRAPHIC INFORMATION SYSTEM</b>				
LARSON, JENNIFER	08/08/2008	1.00	130.00	130.00
	08/11/2008	2.00	130.00	260.00
	08/12/2008	4.00	130.00	520.00
	08/15/2008	2.00	130.00	260.00
Total: SENIOR STAFF PROFESSIONAL		<u>27.25</u>		<u>3,542.50</u>
<b>SENIOR PROFESSIONAL</b>				
<b>GEOGRAPHIC INFORMATION SYSTEM</b>				
HITCHENS, BRIAN R	08/13/2008	2.75	190.00	522.50
	08/14/2008	0.25	190.00	47.50
Total: SENIOR PROFESSIONAL		<u>3.00</u>		<u>570.00</u>
<b>ASSOCIATE</b>				
<b>PROJECT MANAGEMENT</b>				
WITTIG, VERYL	08/04/2008	0.75	225.00	168.75
	08/07/2008	0.50	225.00	112.50
Total: ASSOCIATE		<u>1.25</u>		<u>281.25</u>



Phase : P1) SITE RECONNAISSANCE & SCOPING

Regular Expenses

<u>Vendor Name</u>	<u>Doc Nbr</u>	<u>Date</u>	<u>Cost</u>	<u>Multiplier</u>	<u>Amount</u>
<b>Small Tools &amp; Supplies-Billable</b>					
TRIPOLITIS, VICKI	SD8258	8/11/2008	11.84	1.15	13.62
			11.84		13.62
SURVEYORS SERVICE CO.	A54019	8/15/2008	94.82	1.15	109.04
			94.82		109.04
Total: Small Tools & Supplies-Billable					122.66

Unit Pricing Expenses

<u>Vendor / Employee Name</u>	<u>Doc Nbr</u>	<u>Date</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
<b>Billable Unit Pricing</b>					
<b>CADD COMPUTER TIME</b>					
DUNCAN, MARK	002870	8/11/2008	8.00	29.00	232.00
	002870	8/15/2008	3.50	29.00	101.50
			11.50		333.50
<b>GIS COMPUTER TIME</b>					
HITCHENS, BRIAN R	002024	8/13/2008	2.75	29.00	79.75
	002024	8/14/2008	0.25	29.00	7.25
			3.00		87.00
LARSON, JENNIFER	002714	8/8/2008	1.00	29.00	29.00
	002714	8/11/2008	2.00	29.00	58.00
	002714	8/12/2008	4.00	29.00	116.00
	002714	8/15/2008	2.00	29.00	58.00
			9.00		261.00
<b>MILEAGE RATE</b>					
TRIPOLITIS, VICKI	SD8258	8/11/2008	121.00	0.59	70.79
			121.00		70.79
Total: Billable Unit Pricing					752.29

Total Task : T1) SITE RECONNAISSANCE & SCOPING

Labor : 6,698.75  
Expense : 874.95

Task : T2) IMPLEMENTATION OF BMP



Phase : P1) SITE RECONNAISSANCE & SCOPING

Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>SENIOR STAFF PROFESSIONAL GENERAL</b>				
TRIPOLITIS, VICKI	08/11/2008	0.25	130.00	32.50
Total: SENIOR STAFF PROFESSIONAL		0.25		32.50

**ASSOCIATE GENERAL**

JOHNSON, RONALD	08/05/2008	0.50	225.00	112.50
	08/06/2008	0.75	225.00	168.75
Total: ASSOCIATE		1.25		281.25

Total Task : T2) IMPLEMENTATION OF BMP

Labor : 313.75  
Expense : 0.00

Task : T3) MEETING WITH RWQCB

Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>SENIOR STAFF PROFESSIONAL GENERAL</b>				
TRIPOLITIS, VICKI	08/14/2008	2.50	130.00	325.00
Total: SENIOR STAFF PROFESSIONAL		2.50		325.00

**ASSOCIATE GENERAL**

JOHNSON, RONALD	08/14/2008	3.00	225.00	675.00
Total: ASSOCIATE		3.00		675.00

Total Task : T3) MEETING WITH RWQCB

Labor : 1,000.00  
Expense : 0.00

Task : T4) STREAM RESTORATION PLAN

Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>CLERICAL ASSISTANT GENERAL</b>				



## Phase : P1) SITE RECONNAISSANCE &amp; SCOPING

## Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>CLERICAL ASSISTANT</b>				
HAMILTON, WENDY	08/18/2008	2.75	45.00	123.75
Total: CLERICAL ASSISTANT		2.75		123.75
<b>INTERN</b>				
<b>GENERAL</b>				
GUMMADI, VENKAT	08/13/2008	8.00	50.00	400.00
Total: INTERN		8.00		400.00
<b>CADD/DRAFTING TECHNICIAN</b>				
<b>CADD TIME</b>				
DUNCAN, MARK	08/13/2008	2.50	98.00	245.00
Total: CADD/DRAFTING TECHNICIAN		2.50		245.00
<b>STAFF PROFESSIONAL</b>				
<b>GENERAL</b>				
MATHEW, ANN	08/11/2008	1.50	110.00	165.00
	08/13/2008	1.25	110.00	137.50
	08/14/2008	6.50	110.00	715.00
Total: STAFF PROFESSIONAL		9.25		1,017.50
<b>SENIOR STAFF PROFESSIONAL</b>				
<b>GENERAL</b>				
TRIPOLITIS, VICKI	08/12/2008	9.50	130.00	1,235.00
	08/13/2008	11.75	130.00	1,527.50
Total: SENIOR STAFF PROFESSIONAL		21.25		2,762.50
<b>SENIOR PROFESSIONAL</b>				
<b>GENERAL</b>				
JACOBSEN, NATHAN	08/11/2008	0.50	190.00	95.00
	08/14/2008	1.50	190.00	285.00
	08/15/2008	2.50	190.00	475.00
<b>REVIEW/ANALYZE</b>				
WILLIAMS, KIMBERLY	08/12/2008	1.50	190.00	285.00
	08/13/2008	0.50	190.00	95.00
	08/15/2008	1.50	190.00	285.00
Total: SENIOR PROFESSIONAL		8.00		1,520.00
<b>ASSOCIATE</b>				
<b>GENERAL</b>				
JOHNSON, RONALD	08/08/2008	1.25	225.00	281.25
	08/12/2008	1.25	225.00	281.25
	08/13/2008	1.50	225.00	337.50
	08/14/2008	5.25	225.00	1,181.25
	08/15/2008	4.00	225.00	900.00
<b>PROJECT MANAGEMENT</b>				
WITTIG, VERYL	08/07/2008	0.50	225.00	112.50
	08/08/2008	1.00	225.00	225.00
	08/12/2008	0.75	225.00	168.75

Phase : P1) SITE RECONNAISSANCE & SCOPING

Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>ASSOCIATE</b>				
WITTIG, VERYL	08/13/2008	0.25	225.00	56.25
	08/14/2008	1.50	225.00	337.50
	08/15/2008	2.50	225.00	562.50
Total: ASSOCIATE		19.75		4,443.75

Unit Pricing Expenses

<u>Vendor / Employee Name</u>	<u>Doc Nbr</u>	<u>Date</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
<b>Billable Unit Pricing</b>					
<b>Color Copies (8 1/2 X 11)</b>					
HAMILTON, WENDY	YB8258	8/18/2008	88.00	0.77	67.76
			88.00		67.76
<b>COLOR DSGN JET 24 X 36</b>					
HAMILTON, WENDY	YB8258	8/18/2008	8.00	7.50	60.00
			8.00		60.00
<b>PHOTOCOPIES 8 1/2 X 11</b>					
HAMILTON, WENDY	YB8258	8/18/2008	200.00	0.10	20.00
			200.00		20.00
<b>CLEAR TRANSPARENCIES</b>					
HAMILTON, WENDY	YB8258	8/18/2008	16.00	2.25	36.00
			16.00		36.00
<b>CADD COMPUTER TIME</b>					
DUNCAN, MARK	002870	8/13/2008	2.50	29.00	72.50
			2.50		72.50
<b>CERLOX BINDING</b>					
HAMILTON, WENDY	YB8258	8/18/2008	8.00	8.00	64.00
			8.00		64.00
<b>LASER DIVIDER TABS</b>					
HAMILTON, WENDY	YB8258	8/18/2008	3.00	4.00	12.00
			3.00		12.00
Total: Billable Unit Pricing					332.26

Total Task : T4) STREAM RESTORATION PLAN

Labor : 10,512.50  
Expense : 332.26



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Total Phase : P1) SITE RECONNAISSANCE & SCOPING

Labor : 18,525.00  
Expense : 1,207.21

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Total Project: SC0488 -- MORITZ PROPERTY

19,732.21



**PAST DUE**

# Geosyntec<sup>®</sup> consultants

PLEASE REMIT PAYMENT TO:  
Geosyntec Consultants  
5901 Broken Sound Parkway, Suite 300  
Boca Raton, Florida 33487-2775 USA  
Tel (561) 995-0900 Fax (561) 995-0925

MORITZ PROPERTY  
14272 JEROME DRIVE  
POWAY, CA 92064

Invoice # : 218592  
Project : SC0488  
Invoice Date : 9/18/2008  
Project Name : MORITZ PROPERTY

ATTENTION: DR. BILL MORITZ

For Professional Services Rendered through transaction date: 9/18/2008

ANY QUESTIONS OR COMMENTS REGARDING THIS INVOICE  
MAY BE DIRECTED TO MR. VERYL WITTIG AT (858) 674-6559  
PHASE 01 - SITE RECONNAISSANCE AND SCOPING

Professional Services	\$418.50
Communications Fee	\$12.56
Reimbursable Expenses	\$75.77
Current Invoice	----- \$506.83
<b>**Amount Due This Invoice **</b>	<b>\$506.83</b>

Statement

Prior Billings	\$20,287.96	Project Budget	\$20,800.00
Current Invoice	\$506.83	Billed to Date	\$20,794.79
Billed To Date	\$20,794.79	Contract Balance	\$5.21
Paid To Date	\$10,000.00	<b>**Amount Due This Invoice **</b>	<b>\$506.83</b>



Phase : P1) SITE RECONNAISSANCE & SCOPING

Task : T1) SITE RECONNAISSANCE & SCOPING

Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
PROJECT PROFESSIONAL INTERNAL MEETING BIRD, ADLAR C	08/27/2008	2.00	168.00	336.00
Total: PROJECT PROFESSIONAL		2.00		336.00

Regular Expenses

<u>Vendor Name</u>	<u>Doc Nbr</u>	<u>Date</u>	<u>Cost</u>	<u>Multiplier</u>	<u>Amount</u>
Postage/Courier-Billable FEDERAL EXPRESS	A11897	8/26/2008	10.71	1.15	12.32
			10.71		12.32

Total Task : T1) SITE RECONNAISSANCE & SCOPING

Labor : 336.00  
Expense : 12.32

Task : T4) STREAM RESTORATION PLAN

Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
STAFF PROFESSIONAL GENERAL MATHEW, ANN	08/27/2008	0.25	110.00	27.50
	08/28/2008	0.50	110.00	55.00
Total: STAFF PROFESSIONAL		0.75		82.50

Regular Expenses

<u>Vendor Name</u>	<u>Doc Nbr</u>	<u>Date</u>	<u>Cost</u>	<u>Multiplier</u>	<u>Amount</u>
Printing/Binding Billable MATHEW, ANN	SD9354	8/11/2008	20.00	1.15	23.00
			20.00		23.00
Small Tools & Supplies-Billable MATHEW, ANN	SD9392	9/4/2008	1.00	1.15	1.15
			1.00		1.15

Phase : P1) SITE RECONNAISSANCE & SCOPING

Unit Pricing Expenses

<u>Vendor / Employee Name</u>	<u>Doc Nbr</u>	<u>Date</u>	<u>Units</u>	<u>Rate</u>	<u>Amount</u>
<b>Billable Unit Pricing</b>					
CADD COMPUTER TIME					
DUNCAN, MARK	002870	9/8/2008	0.50	29.00	14.50
	002870	9/11/2008	0.25	29.00	7.25
			-----		-----
			0.75		21.75
<b>MILEAGE RATE</b>					
MATHEW, ANN	WH938	8/13/2008	30.00	0.59	17.55
			-----		-----
			30.00		17.55
Total: Billable Unit Pricing					-----
					39.30

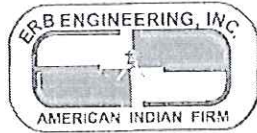
Total Task : T4) STREAM RESTORATION PLAN Labor : 82.50  
Expense : 63.45

Total Phase : P1) SITE RECONNAISSANCE & SCOPING Labor : 418.50  
Expense : 75.77

Total Project: SC0488 -- MORITZ PROPERTY 494.27



Exhibit 14



ERB ENGINEERING, INC.  
12320 STOWE DRIVE, SUITE E  
POWAY, CALIFORNIA 92064  
(858) 748-2130 • Fax (858) 748-6069

October 7, 2008

Dr. & Mrs. Bill Moritz  
14272 Jerome Drive  
Poway, CA 92064

Re: APN: 321-040-49  
14272 Jerome Drive

Dear Dr. & Mrs. Moritz:

Thank you for the opportunity to provide you with our engineering services for a grading plan to restore the ephemeral streambed within your property. We have enclosed our Standard Agreement for a Grading and Drainage Plan in compliance with the restoration plan. This plan will require the removal of 80 to 90 percent of the imported material, with the balance restoring the slopes at the west property line north of the barn.

The second option, to utilize the material removed from the streambed, will require a week or two longer in preparation and cost, approximately \$8,000 for more for surveys and engineering, plus soil testing on the filled portion in excess of one foot in thickness. This will prevent hauling off the dirt at a cost of ten to twelve dollars per cubic yard.

To implement the alternate plan to utilize the material, a draft plan will have to be reviewed by Mr. Jeff Lyon of the City of Poway and Christopher Means at the Regional Water Quality Control Board (RWQCB).

A third option would be, after compliance of the RWQCB restoration plan, to prepare a plan using the stockpiled material for the future and to accomplish your ultimate goal.

The second and third options will require a new grading plan.

Should you have any questions or require further information please do not hesitate to call me.

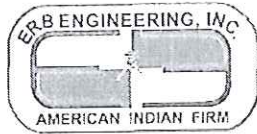
Sincerely,

  
Donald L. Ayles, President  
ERB ENGINEERING, INC.

DLA:mv

Enclosures (2)





ERB ENGINEERING, INC.  
12320 STOWE DRIVE SUITE E  
POWAY, CALIFORNIA 92064  
(858) 748-2130 • Fax (858) 748-6089

October 7, 2008

Dr. & Mrs. Bill Moritz  
14272 Jerome Drive  
Poway, CA 92064

Re: APN: 321-040-49  
14272 Jerome Drive

Dear Dr. & Mrs. Moritz:

In accordance with your request to estimate the time and cost to prepare a grading plan for streambed restoration purposes for the above referenced project, we have provided the following scope of work, schedule of work, fees and billing information. We estimate our fees for this project to be on the order of \$23,000 with City fees on the order of \$12,000 plus security deposit, and sub-consultants fees on the order of \$3,200.

#### **SCOPE OF SERVICE**

1. Surveying, Engineering and CAD services required to prepare a current aerial Topographic Base Map.
2. Engineering, Planning, and Surveying services required to prepare and process a grading plan for the restoration of a previous ephemeral streambed with a submittal to the City of Poway and the Water Quality Control Board, as required.
3. Retaining wall details for grading purposes, not associated with the structure.
4. Engineering services required to prepare a Drainage Study, SUSMP, and erosion control plan for submittal to the City of Poway.
5. Evaluation of existing septic system. Any required re-design of leach field will be charged as "Extra Work" and billed at the current hourly rates in effect at time of work.
6. Surveying and calculations necessary to provide construction staking services and coordination with client's grading contractor.
7. Engineering, Surveying, and CAD services necessary to prepare Record Plans for approval by the City of Poway, and file request for release of grading security and deposits.

Note: Client to provide Permission to Grade letters for properties at each end of pipeline, current title report, soils report, and landscape and irrigation plans, if required.

### SCHEDULE

1. We propose to start field work within one week after of receipt of this signed agreement and retainer. This item will take approximately three weeks.
2. After Item No. 1 is completed, we propose to provide you with a draft plan for review in two weeks.
3. The balance of the scope of work will follow with City of Poway plan checks, in the sequence listed above, taking approximately eight weeks.

### FEE AND BILLING

- All items of work are hourly in accordance with rates shown on Page 3.
- Fees may be invoiced monthly based upon services performed.
- A retainer of \$3,500 will be credited in the final invoice.
- Payment will be due within 25 days of the date of the invoice

We appreciate the opportunity to provide these services to you. If this meets your expectations, please sign and return the original to our office along with the requested retainer, and the completed information sheet which is enclosed.

Sincerely,



Donald L. Ayles, President  
ERB ENGINEERING, INC.



Charles S. Little, RCE 65129

DLA/mv

Enclosures: (1)

Accepted:

\_\_\_\_\_  
Dr. Bill Moritz

\_\_\_\_\_  
Date



## STANDARD PROVISIONS – FEE SCHEDULE

Consulting – PE/PLS	\$140.00/hr.	CAD Drafting	\$65.00/hr.
Principal	\$115.00/hr.	Drafting	\$55.00/hr.
Project Engineer/Surveyor	\$95.00/hr.	3-Man Crew	\$240.00/hr.
Field Engineer	\$80.00/hr.	2-Man Crew	\$190.00/hr.
Staff Engineer/Surveyor	\$65.00/hr.	1-Man Crew	\$140.00/hr.
Project Coordinator	\$85.00/hr.	Clerical & Processing	\$45.00/hr.
		Expeditor	\$100.00/hr.

### SPECIAL SERVICES

Drilling (based on site conditions) 4 hr. minimum

Percolation testing is defined as testing at 36-inch depth not to exceed 4 test holes. any further testing will be charged at prevailing hourly rates. All drilling and/or backhoe work will be paid by client, in addition to the fee quoted above.

Special fees, outside consultant fees, permits, special insurance, fares, telegrams, shipping, equipment (GPS) rental and other similar project-related costs are billed at cost plus 15 percent. Copies of previously issued reports are billed at \$25.00 for the first copy and \$15.00 for each additional copy.

Time spent in travel in the interest of the client will be charged at the applicable hourly rates except that no more than 8 hours will be charged in any single day. Court appearances as an expert witness will be charged a minimum of \$600.00 per half day or part, plus expenses. Preparation of court case will be charged at the applicable hourly rates listed above.

Invoices are payable within 25 days of presentation. Past-due accounts are subject to a \$15 minimum service charge, monthly service charges equaling 10% annual rate. Should the client fail or refuse to pay for the services as called for herein, the client agrees to pay reasonable collection and attorney fees, plus court costs, in addition to principal sum due.

**NOTE: Hourly rates, listed above, are subject to quarterly adjustments. Lump sum items are subject to quarterly adjustments for uncompleted portions of work.**

**CLIENT TO PAY ALL AERIAL MAPPING, COUNTY, CITY, TITLE COMPANY, OTHER REGULATORY AGENCY FEES AND SPECIAL EQUIPMENT FEES.**

Liability of ERB ENGINEERING, INC. for any service performed under this contract shall be limited to the amount of the fee charged.

In the event all or any portion of the work prepared or partially prepared by ERB ENGINEERING, INC. shall be suspended, abandoned, or terminated, the client agrees to pay ERB ENGINEERING, INC. for all fees, charges and services provided for the project, not to exceed any contract limit specified herein.

# PROJECT INFORMATION SHEET

Date: Oct. 7, 2008

## OWNERS CONTACT INFO:

Name: Dr. and Mrs. Bill Moritz  
Business Name: \_\_\_\_\_  
Mailing Address: 14272 Jerome Drive, Poway, CA 92064  
Home Phone: (858) 679-7413  
Business Phone: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_

## PROJECT MANAGER INFO:

Name: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Cell: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

## PROJECT SITE INFO:

Site Address: 14272 Jerome Drive, Poway, Ca 92064  
\_\_\_\_\_

ASSESSOR PARCEL NUMBER: 321-040-49

## PROJECT DESCRIPTION/NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

JOB NUMBER: \_\_\_\_\_



Exhibit 15

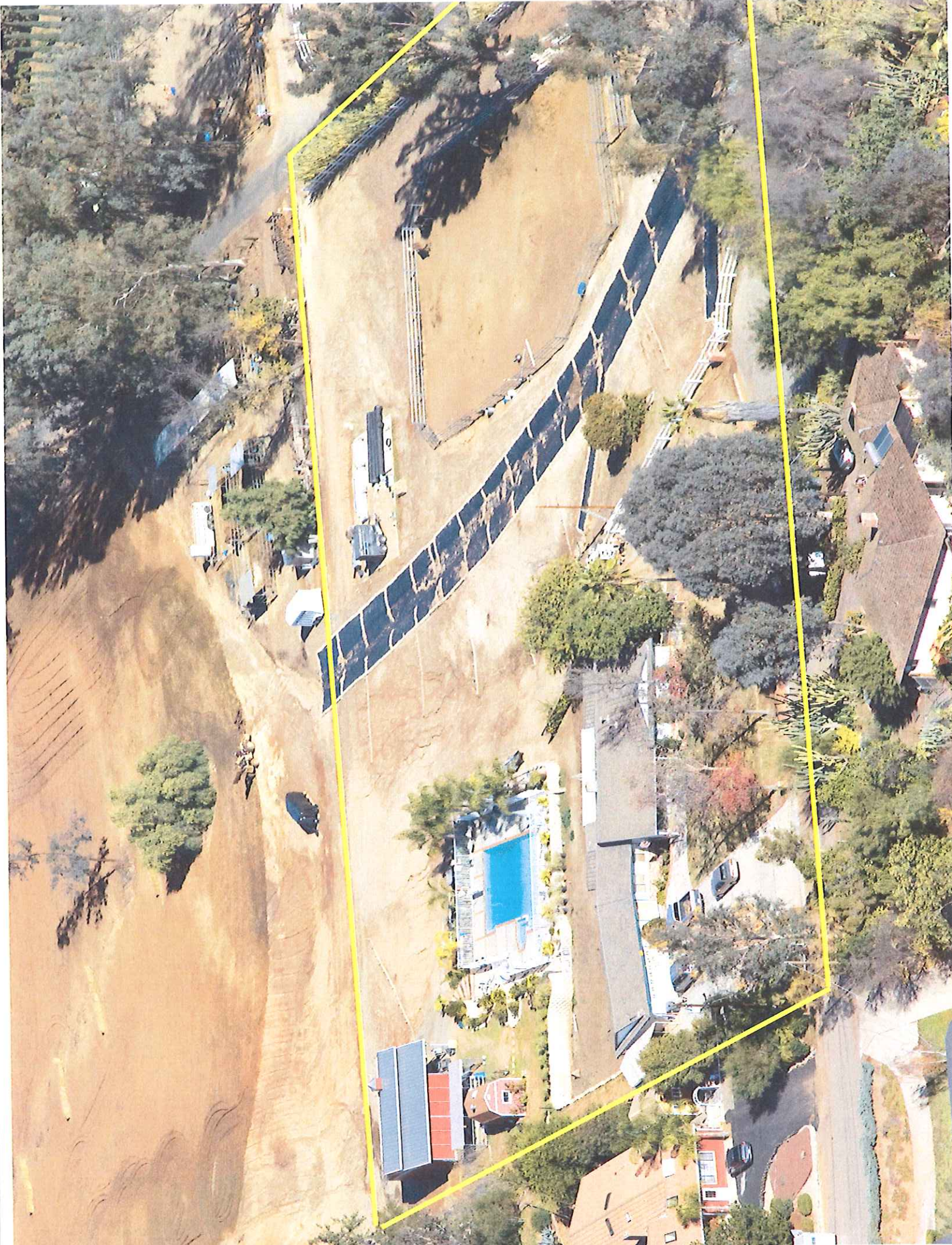














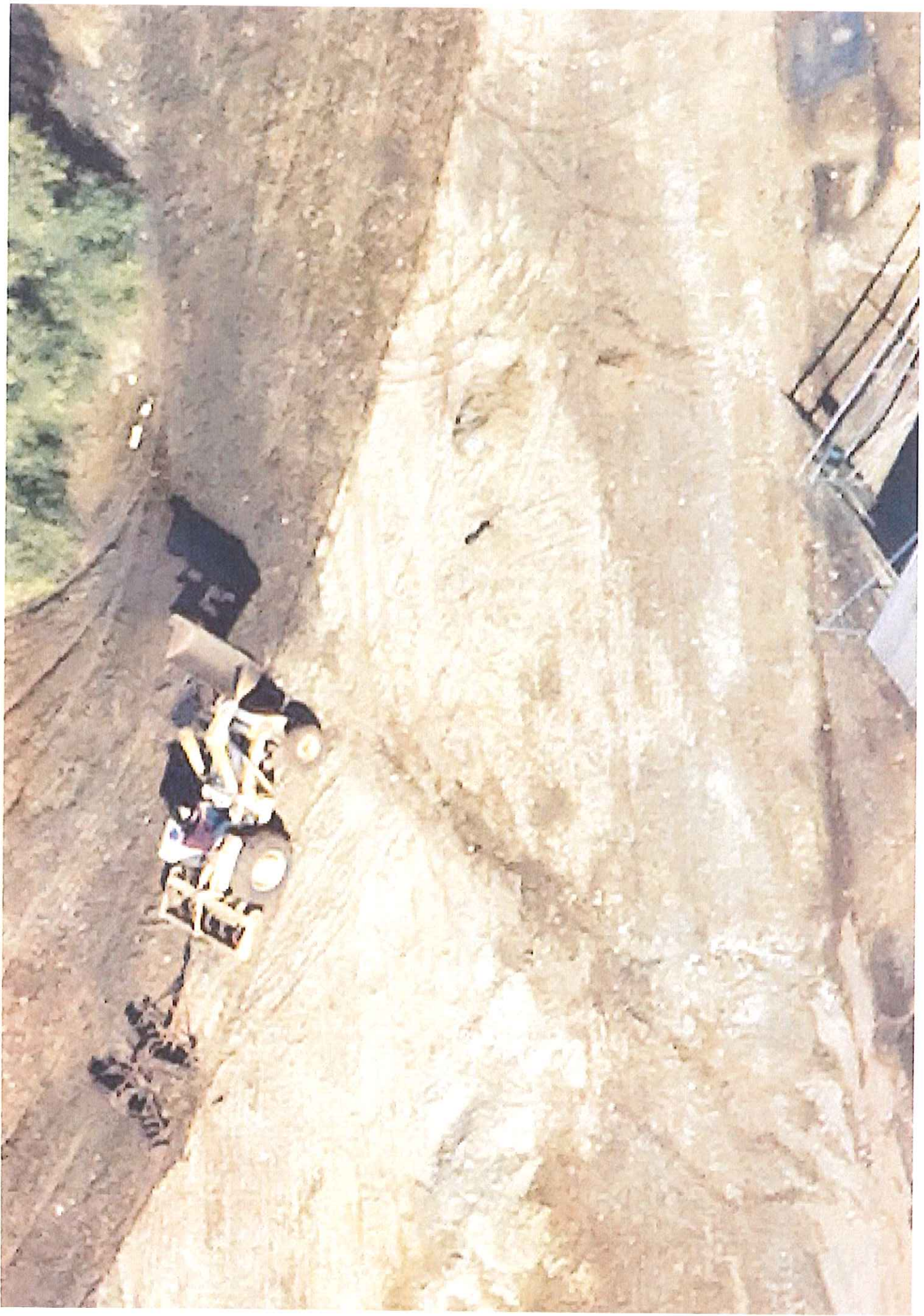








Exhibit 16

## **SELECTION OF APPROPRIATE ENFORCEMENT ACTION**

The following criteria are considered by the Regional Board in selecting the appropriate enforcement action in response to an incident of noncompliance:

- Degree of water quality impairment and/or threat to the public health including the degree of toxicity of the discharge;
- Past history of discharge violations;
- Degree of cooperation or recalcitrance shown by the discharger;
- Culpability of the discharger;
- Financial resources of the discharger;
- Whether the circumstances leading to the noncompliance have been corrected;
- Whether the discharge violations are likely to continue in the future;
- Whether the discharge can be cleaned up;
- The need to take immediate cleanup action;
- Any economic benefit realized by the discharger as a result of the noncompliance; and
- Other actions as justice may require.



## **STATE WATER RESOURCES CONTROL BOARD PLANS AND POLICIES**

The State Water Resources Control Board (State Board) has adopted a number of plans and policies for statewide water quality management. The Regional Board implements these plans through WDRs, NPDES permits, and any necessary enforcement actions. These policies are explained in more detail in Chapter 5, Plans and Policies.

## **HAZARDOUS WASTE SOURCE REDUCTION**

The Department of Toxic Substance Control (DTSC) has adopted regulations regarding hazardous waste source reduction pursuant to the Hazardous Waste Source Reduction and Management Review Act of 1989 (Article 11.9, starting with section 25244.12 of the Health and Safety Code). These regulations are contained in sections 67100.1 through sections 67100.14 of Title 22 of the CCR. These regulations require that each generator of hazardous or extremely hazardous waste within the limits set by the regulations conduct a source reduction evaluation review and plan, plan summary, hazardous waste management performance report, and report summary on or before September 1, 1991 and every four years thereafter. Every generator is required to retain a copy of the current review and plan, plan summary, report, report summary, progress report, and compliance checklist at each site, at a public library, or at a local governmental agency. The Regional Board supports these efforts of hazardous waste source reduction because any successes achieved will mean less hazardous waste which could pollute California's waters.

## **MUNICIPAL AND DOMESTIC WASTEWATER**

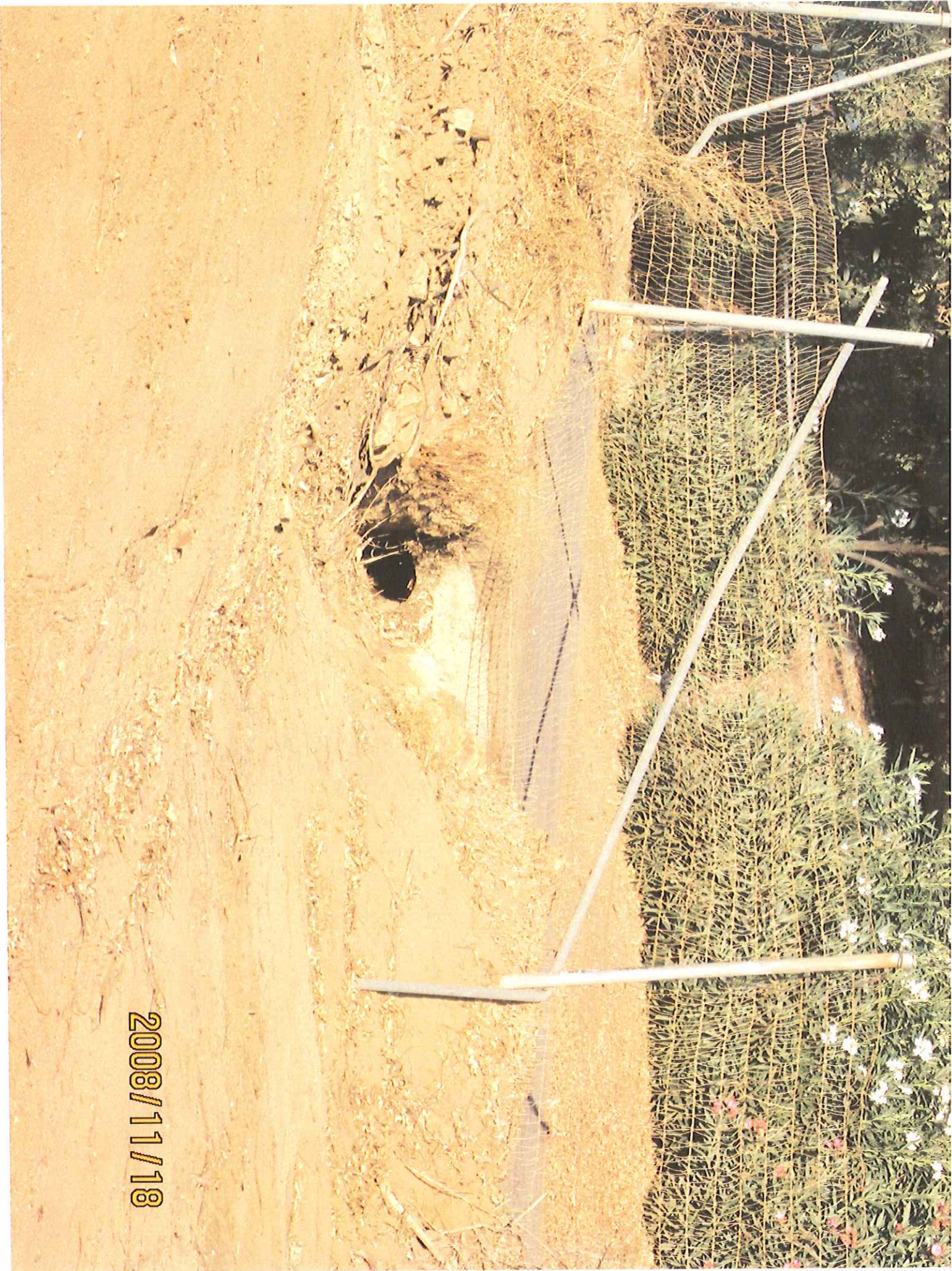
Municipal wastewater in the San Diego Region consists primarily of domestic sewage and minor quantities of industrial wastes in some of the more highly urbanized and industrialized areas. Facilities to control municipal wastewater include wastewater collection systems, pumping stations, transport pipelines, treatment plants, storage ponds and ocean outfalls. These facilities are sometimes collectively referred to by the term Publicly Owned Treatment Works (POTW).

Municipal wastewater treatment in the San Diego Region is generally at the secondary treatment level. Secondary treatment results in the removal of more than 85 percent of the biochemical oxygen demand and suspended solids found in municipal wastewater. Tertiary (advanced) wastewater treatment is used at some treatment plants for additional removal of pollutants to reclaim wastewater for beneficial reuse. Effluent from the wastewater treatment plants is disposed of by various means including:









2008/11/18







Exhibit 18







