

**PREPROSECUTION TEAM EVIDENCE LIST
DELLAR TRUST AND CITY OF SACRAMENTO
DELLAR PROPERTY
5-6 December 2013**

Pursuant to the Hearing Procedures Governing this matter, California Code of Regulations, title 23, section 648.3, and the 12 September 2013 Ruling on Objections to the Hearing Procedures, the following exhibits are hereby submitted by reference.

Exhibit Number	Date	Exhibits
Documents in Case File: Orders, Technical Reports and Correspondence (Exhibits 1-91 available on Central Valley Water Board's Website)		
1	6/4/2008	Cleanup and Abatement Order No. R5-2008-0705, including attachments
2	8/1/2008	City of Sacramento: Status Report on Dellar Landfill Closure Plan
3	8/1/2008	Letter from Jeff Scharff: request for time extension to submit survey
4	8/1/2008	Letter from Jeff Scharff: supplement August status report and request to complete 30% design drawings.
5	9/12/2008	Email from Marty Strauss: Notification that City is still waiting for the Dellar Trust to give them access to the Dellar Property and survey it.
6	10/31/2008	City of Sacramento: Status Report on Dellar Landfill Closure Plan
7	1/21/2009	Site Inspection Report for the 28th Street LF, Sutters Landing Park, and the Dellar Trust Property
8	1/23/2009	Staff letter: Review of 30% Design for Final Site Grading and Storm Water Pollution Prevention and Erosion Control Plan
9	1/30/2009	City of Sacramento: Status Report on Dellar Landfill Closure Plan
10	3/9/2009	City of Sacramento: will be unable to submit 100% by CAO deadline.
11	3/11/2009	Email from Marty Strauss: Request for the Dellar trust to be included in discussion of the former LF on trust property, list of products that have been delivered, list of remaining deliverables
12	3/12/2009	Record of Communication between Marty Strauss and Todd Del Frate concerning late submittal of Final Closure Plan.
13	3/19/2009	Staff Letter: Dellar Landfill Final Closure Plan
14	4/22/2009	City of Sacramento: Status Report on Dellar Landfill Closure Plan
15	5/12/2009	Memorandum from Jeff Scharff - Trust does not agree with Final Closure Plan.
16	7/7/2009	Letter from Jeff Scharff to follow up on a phone conversation on June 19
17	8/1/2009	City of Sacramento: Status Report on Dellar Landfill Closure Plan
18	8/6/2009	Email from Todd Del Frate to Marty Strass. Re: Water Board comments on Dellar Closure Construction Plans
19	8/19/2009	Staff Letter: Review of Final Closure and Post-Closure Maintenance Plan
20	10/14/2009	Letter from City of Sacramento: Response to RWQCB review Comments date August 19, 2009 -
21	10/26/2009	Letter from City of Sacramento: Request for Meeting to Discuss Comments on 100 Percent Engineering Drawings
22	10/27/2009	Letter from Jeff Scharff "Comments on behalf of the trust will be submitted separately"
23	10/29/2009	Email from Todd Del Frate to Marty Strauss: Clarification of a staff letter sent 8/19/2009
24	10/29/2009	Report from SCS Engineers: "Response to RWQCB Email" - Outlines construction to be done for the Dellar Property Closure
25	11/1/2009	Letter from City of Sacramento: Status Report on Dellar Landfill Closure Plan
26	12/9/2009	Email from Todd Del Frate: response to the City of Sacramento's final engineering drawings
27	2/1/2010	Letter from City of Sacramento: Status Report on Dellar Landfill Closure Plan

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28	5/13/2010	Letter from City of Sacramento: Status Report on Dellar Landfill Closure Plan
29	5/20/2010	Memo from AECOM: Dellar Parcel - Blue Elderberry Shrub and VELB Survey Results
30	6/8/2010	Email from Marty Strauss: regarding completion of a biological survey on the Dellar Property, ramifications of the survey
31	6/10/2010	Email from Marty Strauss: will Board writing a letter stating the clean up of the Dellar Landfill is an emergency clean up project?
32	6/10/2010	Email from Marty Strass: Letter of support to USFW (Elderberry Bushes and VELB)
33	6/14/2010	Email from from Marty Strauss concerning the elderberry bushes and an inquiry to the US Fish and Wildlife Service
34	6/16/2010	Letter from City of Sacramento: Request for Extension of Time Line to Close Dellar LF
35	8/4/2010	Letter from Jeff Scharff: Response to City of Sacramento Former Landfill Status Report
36	1/6/2011	List of attendees for meeting between Staff, the Dellar Trust, and City of Sacramento
37	1/6/2011	Proposed agenda for the 1/6/2011 meeting for the Syliva Dellar Survivor's Trust and City of Sacramento
38	1/7/2011	Email from Wendy Wyels regarding a 1/6/2011 meeting to discuss the Dellar LF and a four-year extension to CAO deadlines that was not granted.
39	1/7/2011	Email from Marty Strauss: Reply to the above email message, stating ignorance as to why sent communications have not been received by staff.
40	1/11/2011	Email from Wendy Wyels stating that the City had sent the status reports to someone in Sacramento County instead of to the Board.
41	1/11/2011	Email from City: resending the Nov 8, 2010 Status Report (attached) on Dellar Landfill Closure Plan
42	1/11/2011	Email from Jeffory Scharff: Re: Mr. Dagg's comments from last week's meeting
43	1/13/2011	Letter to Jeff Scharff from Kleinfelder: Dellar Landfill Closure Schedule
44	1/25/2011	Letter from Kleinfelder: Closure Field Investigation outline for Dellar Landfill
45	1/27/2011	January 27, 2011 Meeting sign in sheet to discuss Closure Field Investigation Outline
46	2/1/2011	Letter from City of Sacramento: City's Status Report on Dellar LF Closure Plan
47	3/9/2011	Letter from Kleinfelder: Dellar Landfill Assessment Report
48	3/15/2011	Letter from City of Sacramento to CalRecylce: Grant Application for Partial Grants to Public Entities to Abate Solid Waste Disposal Sites
49	4/12/2011	Sacramento City Council Resolution 2011-205: Authorization to Submit Solid Waste Disposal and Co-Disposal Site Cleanup Grant Application
50	4/13/2011	Staff Letter: Proposed Closure Activities and Schedule
51	4/13/2011	Staff Letter: Review of Dellar LF Assessment Report
52	5/3/2011	Transmittal Letter from Kleinfelder: Site location map with boring logs
53	5/4/2011	Letter from City of Sacramento: City's Status Report on Dellar LF Closure Plan
54	5/5/2011	Dellar Trust/City of Sacramento Meeting Agenda with signin sheet

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55	5/13/2011	Letter from Jeffory Scharff: Items to discuss including the CalRecycle Grant
56	5/13/2011	Letter from City of Sacramento: Solid Waste and Co-Disposal Site Clean Up Grant to CalRecycle. Attached is City's Resolution 2011-205 and CalRecycle Grant Application to abate solid waste disposal sites.
57	5/25/2011	Staff Letter: Request for Extension of CAO and Schedule of Project Activities to be completed during the 2011 Construction Season for the Dellar Property
58	5/26/2011	Site Inspection Report for Inspection conducted 13 May 2011, and additional photos
59	5/31/2011	Letter from Jeffory Scharff: Response to staff letter dated 25 May 2011 with enclosure dated April 21, 2006
60	6/1/2011	Letter from City of Sacramento: Response to staff letter dated 25 May 2011
61	7/21/2011	Letter from City of Sacramento: Comments on Closure-Post Closure Plan for Dellar Property
62	8/1/2011	Letter from City of Sacramento: Status Report on Dellar Landfill Closure Plan
63	9/7/2011	Staff Letter: Review of the Final Closure and Pos-Closure Maintenance Plan
64	10/11/2011	Letter from Jeffory Scharff: Closure and Postclosure Maintenance Plan Status Report Update
65	10/21/2011	Letter from Kleinfelder: Interim Construction Quality Insurance Report, Dellar LF Property Closure
66	11/1/2011	Letter from City of Sacramento: Status Report on Dellar Landfill Closure Plan
67	11/17/2011	Letter from Jeffory Scharff: LF Closure and Post Closure Maintenance Plan Status Report Update
68	12/7/2011	Email from Marty Strauss: regarding inability to obtain a copy of the contract to complete the Dellar LF Closure
69	1/13/2012	Staff Letter: Failure to Make Progress Toward Closure, Dellar Trust Property
70	1/18/2012	Letter from City of Sacramento to USFWS: Avoidance of Elderberry Bushes on Site
71	2/1/2012	Letter from City of Sacramento: Dellar LF - City of Sacramento's Status Report
72	2/2/2012	Letter from Jeffory Scharff: Closure and Post Closure Maintenance Plan Status Report Update
73	2/3/2012	Packet of Emails between Jeff Scharff and the City of Sacramento regarding construction and various site concerns
74	2/14/2012	Site Inspection Report for the Dellar Landfill Property with additional inspection photos attached.
75	3/1/2012	Email from Jeffory Scharf with construction pictures
76	3/9/2012	Transmittal of ACL Complaint R5-2012-0516, waiver form, and hearing procedure
77	3/14/2012	Office of Enforcement Staff Memorandum: Economic Benefit of Noncompliance, ACL Complaint No. R5-2012-0516
78	4/4/2012	Letter from City of Sacramento: Waiver of hearing for ACLC R5-2012-0516
79	4/4/2012	Letter from Jeffory J. Scharff: Waiver of hearing for ACLC R5-2012-0516
80	4/9/2012	Kleinfelder: Project Status Report, Dellar Trust Property Closure

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81	4/23/2012	Email from CalRecycle's Wes Mindermann regarding a CalRecycle Grant for the Dellar Property
82	4/30/2012	Letter from Kleinfelder: Quarterly Status Report - Dellar Trust Property Closure
83	5/21/2012	Letter from City of Sacramento: City's Response to ACL Complaint and Computation of Civil Liability
84	6/19/2012	Well Application and Permit Form for destruction of "former on-site supply well"
85	6/23/2012	Email: Message from Ronald Hedman to Jeffory Scharff, Forwarded to Todd Delfrate. Regarding destruction of a well on the property
86	7/9/2012	Memo from Jeffory Scharff: Secured partial permit for the commencement of grading
87	12/19/2012	Memo from Doug Veerkamp Construction to Tim Krandall: Erosion Repairs. Memo includes erosion repair location map and Geoweb installation guidelines
88	12/19/2012	Memo from Jeffory Scharff: Request for copy of Inspection Report from 12/19/2012
89	1/10/2013	Site Inspection Report for the Dellar Landfill Property
90	5/3/2013	Letter from Jeff Scharff: Request for Closure and Determination of No Further Action
91	6/13/2013	Staff Letter: Request for Report of Waste Discharge, Dellar Landfill Property with attached JTD Index

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Dellar Trust Property Reports (In Public Files Submitted by Reference, Exhibits 92-110)		
92	5/13/2009	Final Closure and Post-Closure Maintenance Plan
93	8/4/2010	Dellar Property LF Final Cover Reconfiguration
94	1/25/2011	Closure Field Investigation Outline
95	3/9/2011	Dellar LF Assessment Report
96	6/30/2011	Status Report and 2011 Closure Schedule
97	7/22/2011	Closure and Post-Closure Maintenance Plan, Dellar Trust Property
98	7/22/2011	Closure and Post-Closure Maintenance Plan, Dellar Trust Property, Appendix D: Storm Water Pollution Prevention Plan
99	12/14/2011	Notice to Proceed - Grant Agreement No. SWC39-11-1 with Appendix A, B, C, and D
100	8/10/2012	Dellar Trust Property Closure Construction Project
101	10/26/2012	Construction Quality Assurance Report
102	4/12/2013	Response to 1/10/13 Inspection Report, Repair to Erosion Damage, Dellar Property Closure Project

28th Street Landfill		
103	3/19/2004	Waste Discharge Requirements Order R5-2004-0039
104	7/31/2012	Semi-annual Water Quality Monitoring Report for City of Sacramento 28th Street Sanitary Landfill, January - June 2012
105	2/7/2013	Semi-annual Water Quality Monitoring Report for City of Sacramento 28th Street Sanitary Landfill, July - December 2012
106	8/14/2013	Semi-annual 2013 Water Quality Monitoring Report for the City of Sacramento 28th Street Landfill, January - June 2013

Documents located on the Internet and referenced by the following links:		
107	5/20/2010	State Water Resources Control Board Water Quality Enforcement Policy: http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/enf_policy_final111709.pdf
108	Undated	Subtitle D Regulations can be accessed through this link; www.waterboards.ca.gov/water_issues/programs/land_disposal/docs/subtd.shtml
109	Undated	Chapter 15, Division 3, Title 23 Regulations can be accessed through this link; http://www.waterboards.ca.gov/water_issues/programs/land_disposal/docs/chapter15regs.pdf
110	Undated	Title 27 of the California Code of Regulations pertaining to Consolidated Regulations or Treatment, Storage, Processing or Disposal of Solid Waste: http://www.waterboards.ca.gov/water_issues/programs/land_disposal/docs/t27w97j.pdf