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Mayor Pro Tem, Nancy Tragarz  
Council Member, Eric Ching  
Council Member, Robert Pacheco  
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## CITY OF WALNUT

February 26, 2018

### *Via E-mail and Hand Delivery Only*

Gary Nellesen, Director, Facilities Planning and Management  
Mt. San Antonio College  
1100 North Grand Avenue  
Walnut, CA 91789

RE: Mt. SAC Physical Education Project (PEP)

Dear Mr. Nellesen,

As you know, review and approval of grading plans and a truck hauling plan are required from the City of Walnut **prior** to the commencement of grading and hauling activities. And, as you know, Mt. SAC does not have approved grading or hauling plans for the PEP project site. Given the lack of City approvals, multiple “Stop Work” notices have been posted and notifications generated for the PEP site. Most recently, the 5<sup>th</sup> Stop Work Notice (attached) was posted on Thursday, February 22, 2018.

While Mt. SAC has acknowledged the City’s regulatory authority over grading and hauling activities, it is apparent that acknowledgment is mere lip service as the college continues its unpermitted earthwork, grading, and hauling operations in violation of Government Code Section 53097 and the Walnut Municipal Code and in spite of multiple notifications and five “Stop Work” postings on the property. To my disappointment, the latest (5<sup>th</sup>) “Stop Work” notices posted by City staff at the PEP site were removed by your staff or contractor just as quickly as they were posted by City staff (image attached to this e-mail).

To date, Mt. SAC has failed to submit a complete grading/hauling application for the PEP site. Application materials have been submitted piecemeal. The application for the temporary parking lot on the PEP site was deemed complete on July 19, 2017, but subsequently withdrawn by Mt. SAC on September 20, 2017. The August 15, 2017 submittal for PEP grading was supplemented by materials submitted by Mt. SAC on November 2 and a revised truck haul plan hand-delivered to the City on November 13, 2017. Still missing are the requested LID/hydrology analysis and the signed Development Application and filing fees for Planning Commission review required pursuant to Walnut Municipal Code Section 6-5.6(b) and 6-7.4(b)(1).

Consistent with previous notifications, the City will undertake detailed plan check/project review once a **complete** application is received. **Pending such submittal and review and approval by**

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**the City of Walnut of the PEP grading/hauling plans, Mt. SAC is hereby notified to cease and desist from all work on the PEP site.**

Mt. SAC's disregard of the City of Walnut's regulatory authority over grading and hauling at the PEP site concerns me a great deal as the City of Walnut and Mt. SAC try to work together on the West Parcel grading/hauling application, which as of the writing of this letter is also still incomplete. This is after several notifications from City staff requesting that final submittals be provided, including the actual application for the West Parcel grading/haul route request.

If you have any questions, please feel free to contact me directly at (909) 595-7543 ext. 402

Sincerely,



Tom Weiner  
Community Development Director

cc: Rob Wishner, City Manager  
Barbara Leibold, City Attorney  
Dave Gilbertson, City Engineer  
Michael Gregoryk, Vice President, Administrative Services Mt. SAC  
William Scroggins, President/CEO Mt. SAC