

February 23, 2016

VIA FEDERAL EXPRESS**FEB 25 2016**

Mr. Scott Smithline, Director
Department of Resources Recycling and
Recovery (CalRecycle)
1001 I Street-- P.O. Box 4025
MS-25A
Sacramento CA 95812-4025

Re: Appeal of the Decision by the San Diego County Solid Waste Hearing
Panel Issued February 11, 2016, Concerning the Gregory Canyon Landfill -
Solid Waste Facility/Permit No. 37-AA-0032

Dear Mr. Smithline:

On behalf our client, the Pala Band of Mission Indians, we hereby request that, pursuant to Public Resources Code § 45030, the California Department of Resources Recycling and Recovery ("CalRecycle") review the decision of the Hearing Panel identified above. Attached to this letter is a Statement of Issues supporting the appeal.

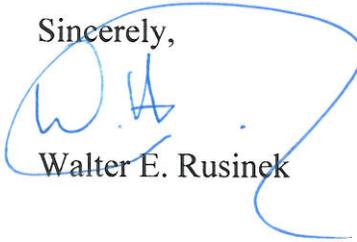
The underlying raised in this appeal is the Hearing Panel's decision that the LEA is not required to enforce conditions of the solid waste facilities permit that require the permittee, GCL, LLC, to take certain actions before starting construction. Our position is that GCL's proposal to demolish/remove 50 or more structures on the site of the proposed landfill is part of the construction of the landfill. The LEA has taken the opposite position and refused to enforce the permit conditions. The Hearing Panel ruled in the LEA's favor.

This appeal addresses a single decision issued by the Hearing Panel after a consolidated hearing on two separate Requests for Hearing submitted by the Pala Band to the LEA. More information on the two requests are provided in the attached Statement of Issues.

Mr. Scott Smithline
February 23, 2016
Page 2

Thank you for your attention to this matter. All correspondence on this issue can be directed to our offices.

Sincerely,



Walter E. Rusinek

WER
Enclosure

cc: Robert Smith, Chairman, Pala Band of Mission Indians
Shasta Gaughen, Tribal Historic Preservation Officer and Director, Pala
Environmental Department
Shanti Santulli, Army Corps of Engineers
G. Mendell Stewart, United States Fish & Wildlife Service
David Gibson, Regional Water Quality Control Board
San Diego County Supervisor Dave Roberts
Robert Kard, San Diego Air Pollution Control District
Damon Nagami, Esq., NRDC
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William A. Johnson, Jr., Senior Deputy County Counsel, County of San Diego