



July 7, 2025

Councilman Ollie Cantos
Councilwomen Rosario Diaz
Councilwomen Letty Lopez-Viado
Councilman Brian Gutierrez
Councilman Tony Wu

Honorable City Council:

At the June 17, 2025 council meeting the city council confirmed that it is proceeding with the sale of the site at 825 South Sunset Avenue. As you are aware this site is the City Yard. Multiple city council members have confirmed **a new replacement City Yard will be necessary AND that consideration is being given to the city owned land that directly abuts the Class I landfill at BKK.** This is the largest toxic hazardous waste in the state of California.

Before any more time and effort is spent considering at new City Yard at the BKK landfill site we urge the city council to consider the following:

- **The city is required to obtain the approval of the California Department of Toxic Substances Control (DTSC).** This is in accordance with the Covenant Not To Sue between the city and the DTSC. That agreement states the city is subject to conditions set forth by the DTSC because the BKK site is an **"on-going**

threat to public health” (letter from DTSC to the city of West Covina dated January 30, 2020). In that same letter the DTSC warned the city it was in violation of the Covenant Not To Sue based on its actions at that time as the city and Singpoli attempted to develop a hotel on the city land at BKK.

- **All of the city owned land at BKK is entirely unimproved – no potable water, no fire protection water, no sewer, no electricity, no gas, no lighting, and no roads.** A City Yard requires all of the foregoing and provisioning these will require the city to spend millions of dollars...if regulatory approval is ever obtained for a City Yard at this location.
- **A City Yard at BKK would be on land that directly abuts a unlined landfill, which is leaking and has not been remediated.** In 2021 the DTSC announced that the preliminary estimate for remediating this landfill was \$869 million. The highest priority for the Class I landfill and the surrounding land is remediation. The city must develop a detailed plan of non-interference with the remediation.
- **Since the landfill is unlined and leaking, adjacent land is contaminated – including the city owned land where you are considering building and operating a City Yard.** Please recall the homes adjacent to this landfill that had to be evacuated in 1984 as a result of contamination from the landfill. Most of what was disposed of at this landfill was liquids – over 5 million tons of it. According to the United States Environmental Protection Agency these substances included, but were not limited to acids, arsenic, cyanide, lead, mercury, asbestos, chromium, degreasing agents, oil sludge, gasoline, pesticides, vinyl chloride, plating solutions, acetone, paint waste, pharmaceuticals, contaminated equipment, heavy metal solutions, chemical toilet contents, and hazardous spill cleanups. These were dumped directly on the ground and covered with a layer of trash, or injected into the

ground and compacted trash. The city's plans, beginning with conceptual ones must address how the City Yard will be built and operated on contaminated land.

- **Endangered species as well as species of special concern are present on and around the city-owned land at BKK.** The city has been repeatedly reminded of this by the U.S Fish and Wildlife Service and the California Department of Fish and Wildlife. Please ensure your consultations with these agencies indicate how the new City Yard will be built and operated in a manner that protects and accommodates these species. Also, how activities at the new City yard will be curtailed and terminated in order to accommodate the annual nesting of endangered species such as the Willow Flycatcher.
- **The city has still not completed required mitigation activities at this site – which are now over 2 decades old.** In order to develop the Heights Shopping Center and the city-owned Sportsplex the city entered into written agreements with resource and other agencies to perform certain mitigation activities (for example, see EIR and/or SEIR for the Shopping Center and Sportsplex dated October 2000 and November 2003, U.S. Fish and Wildlife Service Biological Opinion dated June 5, 2003 and Conceptual Coastal Sage Scrub Conservation and Monitoring Plan dated May 22, 2003). These and other required mitigation activities must be completed, prior to any consideration for the City Yard at the BKK site.
- **The city's failed detention basin at the site has still not been repaired.** The city owned land at BKK near where the new City Yard will be located includes a failed detention basin. In February 2013 (12 years ago) the city prevailed in litigation associated with the faulty construction of basin. The city was awarded \$1,024,996. To date, in spite of repeated reminders,

the city has not repaired this basin. According to the city's own records this basin is a "vital" safety feature at the site.

- **The city owned land at BKK and surrounding it are categorized by CalFire as the highest Fire Hazard Severity Zone in the entire city.** Work at City Yards requires regular use of potential ignition sources. Please ensure your consultations with all the regulators includes how that will be managed. As noted earlier, there is no water at this site. Also, please note according to the latest study published by the California Department of Insurance over \$100 million in stock lies with ½ mile of the site where the city has proposed locating the new City Yard.
- **The residents have already and repeatedly stated a different desired use for this land.** In January 2019 the city conducted workshops for residents asking them to vote for their preferred future use of the city-owned land at BKK. Using this land as a solar generation field, open space and a nature preserve, or hiking, biking and walking trails were uses the residents favored, by a large margin. No person, at any workshop, at any time, indicated relocating the City Yard was the preferred use of this land.
- **The City Yard at BKK will require using Azusa Avenue, the most heavily traveled street in West Covina.** City Yards by their nature create considerable vehicular traffic, and much of that is heavy equipment and oversized vehicles. The only ingress/egress to the city-owned land at BKK is Azusa Avenue, which according to the city's own records is already the most heavily traveled street in the city. The corner of Azusa Avenue and Amar Road, which lies south of the entrance to the city-owned land at BKK, is also West Covina's busiest according to the city's data.

- **A City Yard at BKK will change the topography and hydrology of the site and surrounding area.** This has direct implications for contaminated surface water runoff and new movement of contaminated groundwater. Contaminated groundwater (and resulting emitted gases) remains at the heart of previous litigation, existing legal agreements, cost recovery settlements (including new ones) and remediation plans. A new City Yard must address these matters as part of obtaining State and Federal project approvals as well as from the BKK Working Group.
- **8 regulators that oversee BKK:** U.S. Environmental Protection Agency, South Coast Air Quality Management District, Los Angeles Regional Water Quality Control Board, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and the United States Army Corps of Engineers. The city must obtain the approval of each of these for a City Yard at BKK. For such approval each agency will impose its own requirements in accordance with their agency's mission and focus.
- **The California Joint Power Insurance Authority (CJPIA) must be notified of a City Yard at a toxic, hazardous waste landfill.** As you are aware the city insures through the CJPIA. The Authority has increasingly voiced concern to the city regarding its risk management decisions and resulting financial consequences. A new City Yard at BKK would, without question increase the city's liability exposure and the CJPIA must be notified.
- Given the nature of city-owned land at BKK and how a City Yard is used, **a full Environmental Impact Review will be necessary in compliance with the California Environmental Quality Act.**

In closing we respectfully remind the city council that ***17 square miles of land lie within the city limits of West Covina***. We urge the city council to ***locate a site for the new City Yard that is not next to a unlined, leaking, un-remediated, toxic hazardous waste landfill***.

Sincerely,

Board of Directors

Livable West Covina

www.LivableWestCovina.org



**Book: The Strange Saga of
California's Largest Toxic Landfill:**



Cc:

DTSC
CalRecycle
U.S. Environmental Protection Agency
California Department of Fish and Wildlife
U.S. Fish and Wildlife Service
South Coast Air Quality Management District
L.A. Regional Water Quality Control Board
U.S. Army Corps of Engineers
City Manager, Milan Mrakich
Fire Chief, Mike Browne (head of LEA)
Police Chief, Tony Cortina
Director of Planning, Jo-Anne Burns
Public Works Director, Roxanne Lerma

Deputy Director of Public Works, Raul Alvarado
Finance Director, Maria-Luisa Olea
H.R. Director, Carmelita Underwood
Risk Mgmt Director, Carmelita Underwood
City Clerk, Lisa Sherrick
City Attorney, Thomas Durate
Transtech, Ahmad Ansari
Transtech, Brian Cervantes
WC Firefighters Local 3226, Guy Hamilton
Police Officers Association, George Ledesma
California Joint Power Insurance Authority