

Los Angeles Regional Water Quality Control Board

November 20, 2015

VIA EMAIL ONLY

Ryan Mallory-Jones
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PETITION OF NATURAL RESOURCES DEFENSE COUNCIL, HEAL THE BAY, AND LOS ANGELES WATERKEEPER FOR REVIEW OF APPROVAL OF WATERSHED MANAGEMENT PROGRAMS PURSUANT TO THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD ORDER R4-2012-0175: LOS ANGELES WATER BOARD REQUEST FOR EXTENSION OF TIME TO FILE RESPONSE TO PETITION
SWRCB/OCC FILE A-2386

Dear Mr. Mallory-Jones:

The Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) has received your letter dated November 10, 2015, whereby the State Water Resources Control Board (State Water Board) requested that the Los Angeles Water Board submit the administrative record in this matter and provided an opportunity for the Los Angeles Water Board and other interested persons to submit responses to the Natural Resources Defense Council, Heal the Bay, and Los Angeles Waterkeeper's (collectively, Petitioners) petition, filed May 28, 2015, and to a petition addendum, filed October 30, 2015. For the following reasons, the Los Angeles Water Board respectfully requests a 36-day extension of time, until January 15, 2016, (i.e., 66 days total) to submit the Los Angeles Water Board's response to the petition:

- The administrative record for this matter is very large - consisting of several thousand pages – and includes numerous documents related to the submission of the watershed management programs (WMPs) and monitoring and reporting programs pertaining to nine WMPs (including documentation of Technical Advisory Committee meetings, notifications of intent, and draft, revised, and final WMPs), several workshops and meetings with permittees and stakeholders, and the Los Angeles Water Board's review of the petition. The Los Angeles Water Board is again preparing the entire record in electronic format to make review of the record more accessible. In so doing, significant staff time is required to assure the record is prepared in an organized way that will be helpful to the State Water Board in its review and to assure that it is complete, as well as time required to be spent on technical factors - such as converting documents to PDF format, the need to reduce the size of the PDF files to meet the processing capacity of the conversion software, the process of merging the individual PDF files into one file by record section and Bates numbering each section of the record sequentially, and the process of creating the corresponding index with

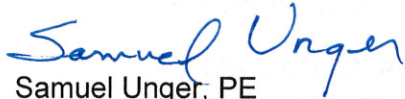
the Bates numbering for each document to facilitate navigating the record. At this time, the Los Angeles Water Board is not requesting an extension of time to submit the administrative record and intends to submit the record by December 10, 2015. However, since considerable time will be required to prepare the record, several key Los Angeles Water Board staff will be unavailable to assist in drafting the Board's response to the petition, and neither these staff nor the attorney assigned to this matter will have access to the complete record in order to make references to documents in the record, as well as to include Bates numbering for ease of reference. Thus, the Los Angeles Water Board needs the first 30 days to prepare the record, and additional time to prepare its response.

- The Los Angeles Water Board intends to respond to both the Petitioners' original petition filed on May 28, 2015 and petition addendum filed on October 30, 2015. While the Los Angeles Water Board reviewed and responded to the Petitioners' original petition as part of its own proceeding on the petition on September 10, 2015, we have not had adequate time to review and respond to the new petition addendum, or to determine whether the addendum contains new contentions that were not previously raised. It is necessary and appropriate for the Los Angeles Water Board to have additional to respond to each of the contentions raised.
- The Los Angeles Water Board staff and the attorney assigned to this matter have limited availability until December 10, 2015. The 30-day letter was received on November 10, 2015. Three state holidays (November 11 and November 26-27) fall within this timeframe and many staff have pre-planned vacations during Thanksgiving week. The Executive Officer and attorney assigned to this matter also have an enforcement hearing on December 2, 2015, which requires preparation. In addition, the Los Angeles Water Board's next meeting is on December 10, 2015 and several staff and the attorney involved in this matter are involved in matters at that Board meeting and, therefore, cannot work on the petition response until after the Board meeting. The staff and attorney involved in this matter, as well as the other two attorneys for the Los Angeles Water Board, must also continue to handle all the other day-to-day matters before the Board.
- Lastly, an extension until January 15, 2016 is needed due to several Los Angeles Water Board staff and attorneys' pre-planned holiday vacations during the last two weeks of December. These staff members are instrumental in the Los Angeles Water Board's response to the petition, and their availability to work on the response is vital. Taking into account the availability of staff and the attorney assigned to work on this matter during December, granting an extension until January 15, 2016 will allow the Los Angeles Water Board adequate time to respond to the petition after the busy holiday season.

Given these reasons, 30 days is not sufficient time for the Los Angeles Water Board to both prepare a proper response to the petition and to complete preparation of the administrative record. The Los Angeles Water Board respectfully requests that the State Water Board grant the Los Angeles Water Board's request to submit its response to the petition and addendum by January 15, 2016. In the event the Los Angeles Water Board can prepare its response prior to that date, the Board will submit its response sooner. The Los Angeles Water Board does not oppose the granting of the same amount of additional time for others to respond to the petition as well.

Thank you for your consideration of this request. If you have any questions, please contact me.

Sincerely,



Samuel Unger, PE
Executive Officer

cc: Attachment A (Permittee List)

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