

## State Water Resources Control Board

July 15, 2013

VIA EMAIL ONLY

**TO ALL PETITIONERS AND THEIR COUNSEL OF RECORD AND TO ALL INTERESTED PERSONS:**

**IN RE PETITIONS CHALLENGING 2012 LOS ANGELES MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (ORDER NO. R4-2012-0175): EXTENSION OF 30-DAY RESPONSE DEADLINE  
SWRCB/OCC FILES A-2236(a) THROUGH (kk)**

The State Water Resources Control Board (State Water Board) received a memorandum dated July 11, 2013, from the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board), copied to all parties, requesting an extension to September 20, 2013, of the deadline to file the administrative record and a written response in the above matter. After careful consideration, the Los Angeles Water Board's request will be granted in part. The deadlines previously established in the July 8, 2013 Complete Petition letter are extended as specified below. *The deadlines are extended for all parties and interested persons.*

### *Responses to Questions Concerning Receiving Water Limitations*

As discussed in the July 8, 2013 Complete Petition letter, the State Water Board expects to hold a workshop in the early fall of 2013 to receive input on the particular approach to receiving water limitations established in Order No. R4-2012-0175 (Los Angeles MS4 Permit). To adhere to this schedule, the deadline for filing of comments on questions posed in the July 8, 2013 Complete Petition letter regarding the receiving water limitations approach in the Los Angeles MS4 Permit is **Thursday, August 15, 2013, at 12 noon.**

### *Responses to All Other Issues Raised in the Petitions*

The deadline for responses to all issues raised in the petitions other than the receiving water limitations approach is **Friday, September 20, 2013, at 12 noon.**

### *Filing of the Administrative Record*

The deadline for filing of the administrative record by the Los Angeles Water Board is **Friday, September 20, 2013, at 12 noon.**

All comments regarding the receiving water limitations approach in the Los Angeles MS4 Permit must be submitted by August 15 as specified above. Interested persons may not use the September 20 deadline for responses on the remaining petition issues as an opportunity to respond to comments filed on the receiving water limitations approach.

The State Water Board notes that the new deadlines do not extend the 270-day time period in which the State Water Board must review and act on the petitions under California Code of Regulations, title 23, section 2050.5, subdivision (b).

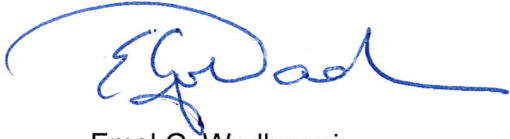
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Additional information regarding submission of written comments on the receiving water limitations approach in the Los Angeles MS4 Permit and submission of written responses to the petitions may be found in the State Water Board's July 8, 2013 Complete Petition letter, which is available at

[http://www.swrcb.ca.gov/public\\_notices/petitions/water\\_quality/a2236\\_la\\_ms4\\_order.shtml](http://www.swrcb.ca.gov/public_notices/petitions/water_quality/a2236_la_ms4_order.shtml).

If you have any questions regarding this letter, please contact me at (916) 322-3622 or at [ewadhvani@waterboards.ca.gov](mailto:ewadhvani@waterboards.ca.gov).

Sincerely,



Emel G. Wadhvani  
Senior Staff Counsel

Enclosures

cc: See next page

July 15, 2013

cc: **[via email only]**  
Exhibit A – Petitioners and Their  
Counsel of Record

**[via email only]**  
Exhibit B – MS4 Dischargers List

Mr. Samuel Unger **[via email only]**  
Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[sunger@waterboards.ca.gov](mailto:sunger@waterboards.ca.gov)

Ms. Deborah Smith **[via email only]**  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[dsmith@waterboards.ca.gov](mailto:dsmith@waterboards.ca.gov)

Ms. Paula Rasmussen **[via email only]**  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[prasmussen@waterboards.ca.gov](mailto:prasmussen@waterboards.ca.gov)

Ms. Renee Purdy **[via email only]**  
Environmental Program Manager I  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[rpurdy@waterboards.ca.gov](mailto:rpurdy@waterboards.ca.gov)

Mr. Ivar Ridgeway **[via email only]**  
Environmental Scientist  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[iridgeway@waterboards.ca.gov](mailto:iridgeway@waterboards.ca.gov)

Lori T. Okun, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[lokun@waterboards.ca.gov](mailto:lokun@waterboards.ca.gov)

Frances L. McChesney, Esq.  
**[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[FMcChesney@waterboards.ca.gov](mailto:FMcChesney@waterboards.ca.gov)

Jennifer L. Fordyce, Esq.  
**[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[jfordyce@waterboards.ca.gov](mailto:jfordyce@waterboards.ca.gov)

Nicole L. Johnson, Esq.  
**[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[njohnson@waterboards.ca.gov](mailto:njohnson@waterboards.ca.gov)

Michael Lauffer, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[mлаuffer@waterboards.ca.gov](mailto:mлаuffer@waterboards.ca.gov)

(Continued next page)

July 15, 2013

cc: (Continued)

Philip G. Wyels, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[pwuels@waterboards.ca.gov](mailto:pwuels@waterboards.ca.gov)

Bethany A. Pane, Esq.  
**[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22<sup>nd</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[bpane@waterboards.ca.gov](mailto:bpane@waterboards.ca.gov)

Mr. David W. Smith, Chief **[via email only]**  
Permits Office  
U.S. EPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
[smith.davidw@epa.gov](mailto:smith.davidw@epa.gov)

Lyriss List

**SWRCB/OCC FILE NOS. A-2236(a) through (kk)  
PETITIONERS AND THEIR COUNSEL OF RECORD CONTACT LIST  
EXHIBIT A**

**City of San Marino [A-2236(a)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwglaw.com](mailto:lbond@rwglaw.com)  
[clee@rwglaw.com](mailto:clee@rwglaw.com)  
[abrady@rwglaw.com](mailto:abrady@rwglaw.com)

**[via U.S. Mail and email]**

City of San Marino  
c/o Mr. John Schaefer, City Manager  
2200 Huntington Drive  
San Marino, CA 91108  
[jschaefer@cityofsanmarino.org](mailto:jschaefer@cityofsanmarino.org)

**City of Rancho Palos Verdes [A-2236(b)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwglaw.com](mailto:lbond@rwglaw.com)  
[clee@rwglaw.com](mailto:clee@rwglaw.com)  
[abrady@rwglaw.com](mailto:abrady@rwglaw.com)

**[via U.S. Mail only]**

City of Rancho Palos Verdes  
c/o City Manager  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90275

**City of South El Monte [A-2236(c)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail only]**

City of South El Monte  
c/o City Manager  
1415 N. Santa Anita Avenue  
South El Monte, CA 91733

**City of Norwalk [A-2236(d)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail only]**

City of Norwalk  
c/o Mr. Michael J. Egan, City Manager  
12700 Norwalk Boulevard  
Norwalk, CA 90650

**City of Artesia [A-2236(e)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail only]**

City of Artesia  
c/o Interim City Manager  
18747 Clarkdale Avenue  
Artesia, CA 90701

**City of Torrance [A-2236(f)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Torrance  
c/o Mr. LeRoy J. Jackson, City Manager  
3031 Torrance Boulevard, Third Floor  
Torrance, CA 90503  
[ljackson@torranceca.gov](mailto:ljackson@torranceca.gov)

**[via U.S. Mail and email]**

City of Torrance  
c/o Mr. Robert J. Beste, Public Works Director  
20500 Madrona Avenue  
Torrance, CA 90503  
[rbeste@torranceca.gov](mailto:rbeste@torranceca.gov)

**City of Beverly Hills [A-2236(g)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Beverly Hills  
c/o City Manager  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
[jkolin@beverlyhills.org](mailto:jkolin@beverlyhills.org)

**City of Hidden Hills [A-2236(h)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Hidden Hills  
c/o City Manager  
6165 Spring Valley Road  
Hidden Hills, CA 91302  
[staff@hiddenhillscity.org](mailto:staff@hiddenhillscity.org)



**City of Claremont [A-2236(i)]:**

**[via U.S. Mail and email]**

Shawn Hagerty, Esq.  
J.G. Andre Monette, Esq.  
Rebecca Andrews, Esq.  
Best Best & Krieger, LLP  
655 West Broadway, 15th Floor  
San Diego, CA 92101  
[andre.monette@bbklaw.com](mailto:andre.monette@bbklaw.com)

**[via U.S. Mail only]**

City of Claremont  
c/o Mr. Brian Desatnik  
Director of Community Development  
207 Harvard Avenue  
Claremont, CA 91711  
[bdesatnik@ci.claremont.ca.us](mailto:bdesatnik@ci.claremont.ca.us)

**City of Arcadia [A-2236(j)]:**

**[via U.S. Mail and email]**

Shawn Hagerty, Esq.  
J.G. Andre Monette, Esq.  
Rebecca Andrews, Esq.  
Best Best & Krieger, LLP  
655 West Broadway, 15th Floor  
San Diego, CA 92101  
[andre.monette@bbklaw.com](mailto:andre.monette@bbklaw.com)

**[via U.S. Mail and email]**

City of Arcadia  
c/o Mr. Dominic Lazzaretto, City Manager  
240 West Huntington Drive  
P.O. Box 60021  
Arcadia, CA 91066  
[dlazzaretto@ci.arcadia.ca.us](mailto:dlazzaretto@ci.arcadia.ca.us)

**[via U.S. Mail and email]**

City of Arcadia  
c/o Mr. Tom Tait  
Director of Public Works Services  
240 West Huntington Drive  
P.O. Box 60021  
Arcadia, CA 91066  
[ttait@ci.arcadia.ca.us](mailto:ttait@ci.arcadia.ca.us)

**Cities of Duarte and Huntington Beach [A-2236(k)]:**

**[via U.S. Mail and email]**

Richard Montevideo, Esq.  
Joseph Larsen, Esq.  
Rutan & Tucker, LLP  
611 Anton Boulevard, Suite 1400  
Costa Mesa, CA 92626  
[rmontevideo@rutan.com](mailto:rmontevideo@rutan.com)

**[via U.S. Mail and email]**

City of Duarte  
c/o Mr. Darrell George, City Manager  
1600 Huntington Drive  
Duarte, CA 91010  
[georged@accessduarte.com](mailto:georged@accessduarte.com)

**[via U.S. Mail only]**

City of Huntington Park  
c/o Mr. René Bobadilla, City Manager  
6550 Miles Avenue  
Huntington Park, CA 90255

**City of Glendora [A-2236(l)]:**

**[via U.S. Mail and email]**

D. Wayne Leech, Esq.  
City Attorney, City of Glendora  
Leech & Associates  
11001 E. Valley Mall #200  
El Monte, CA 91731  
[wayne@leechlaw.com](mailto:wayne@leechlaw.com)

**[via U.S. Mail and email]**

City of Glendora  
c/o Mr. Chris Jeffers, City Manager, and  
Mr. Dave Davies, Director of Public Works  
116 East Foothill Boulevard  
Glendora, CA 91741-3380  
[city\\_manager@ci.glendora.ca.us](mailto:city_manager@ci.glendora.ca.us)  
[ddavies@ci.glendora.ca.us](mailto:ddavies@ci.glendora.ca.us)

**NRDC, Heal the Bay and Los Angeles Waterkeeper [A-2236(m)]:**

**[via U.S. Mail and email]**

Steve Fleischli, Esq.  
Noah Garrison, Esq.  
Natural Resources Defense Council, Inc.  
1314 Second Street  
Santa Monica, CA 90401  
[sfleischli@nrdc.org](mailto:sfleischli@nrdc.org)  
[ngarrison@nrdc.org](mailto:ngarrison@nrdc.org)

**[via U.S. Mail and email]**

Liz Crosson, Esq.  
Tatiana Gaur, Esq.  
Los Angeles Waterkeeper  
120 Broadway, Suite 105  
Santa Monica, CA 90401  
[liz@lawaterkeeper.org](mailto:liz@lawaterkeeper.org)  
[tgaur@lawaterkeeper.org](mailto:tgaur@lawaterkeeper.org)

**[via U.S. Mail and email]**

Kirsten James, Esq.  
Heal the Bay  
1444 9th Street  
Santa Monica, CA 90401  
[kjames@healthebay.org](mailto:kjames@healthebay.org)

**City of Gardena [A-2236(n)]:**

**[via U.S. Mail and email]**

Cary S. Reisman, Esq.  
Assistant City Attorney  
City of Gardena  
Wallin, Kress, Reisman & Kranitz, LLP  
2800 28th Street, Suite 315  
Santa Monica, CA 90405  
[cary@wkrklaw.com](mailto:cary@wkrklaw.com)

**[via U.S. Mail and email]**

City of Gardena  
c/o Mr. Mitch Lansdell, City Manager  
1700 West 162nd Street  
Gardena, CA 90247  
[mlansdell@ci.gardena.ca.us](mailto:mlansdell@ci.gardena.ca.us)

**City of Bradbury [A-2236(o)]:**

**[via U.S. Mail and email]**

Cary S. Reisman, Esq.  
City Attorney  
City of Bradbury  
Wallin, Kress, Reisman & Kranitz, LLP  
2800 28th Street, Suite 315  
Santa Monica, CA 90405  
[cary@wkrklaw.com](mailto:cary@wkrklaw.com)

**[via U.S. Mail and email]**

City of Bradbury  
c/o Ms. Michelle Keith, City Manager  
600 Winston Avenue  
Bradbury, CA 91008  
[mkeith@cityofbradbury.org](mailto:mkeith@cityofbradbury.org)

**City of Westlake Village [A-2236(p)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwglaw.com](mailto:lbond@rwglaw.com)  
[clee@rwglaw.com](mailto:clee@rwglaw.com)  
[abrady@rwglaw.com](mailto:abrady@rwglaw.com)

**[via U.S. Mail and email]**

City of Westlake Village  
c/o City Manager  
31200 Oak Crest Drive  
Westlake Village, CA 91361  
[ray@wlv.org](mailto:ray@wlv.org)  
[beth@wlv.org](mailto:beth@wlv.org)

**City of La Mirada [A-2236(g)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of La Mirada  
c/o City Manager  
13700 La Mirada Boulevard  
La Mirada, CA 90638  
[citycontact@cityoflamirada.org](mailto:citycontact@cityoflamirada.org)

**City of Manhattan Beach [A-2236(r)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Manhattan Beach  
c/o City Manager  
1400 Highland Avenue  
Manhattan Beach, CA 90266  
[cm@citymb.info](mailto:cm@citymb.info)

**City of Covina [A-2236(s)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Covina  
c/o City Manager  
125 East College Street  
Covina, CA 91273  
[vcastro@covinaca.gov](mailto:vcastro@covinaca.gov)

**City of Vernon [A-2236(t)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Vernon  
c/o City Manager  
4305 South Santa Fe Avenue  
Vernon, CA 90058  
[carellano@ci.vernon.ca.us](mailto:carellano@ci.vernon.ca.us)

**City of El Monte [A-2236(u)]:**

**[via U.S. Mail and email]**

Ricardo Olivarez, Esq.  
City Attorney  
City of El Monte  
11333 Valley Boulevard  
El Monte, CA 91734-2008  
[rolivarez@ogplaw.com](mailto:rolivarez@ogplaw.com)

**[via U.S. Mail and email]**

City of El Monte  
c/o Mr. Dayle Keller, Interim City Manager  
11333 Valley Boulevard  
El Monte, CA 91731  
[dkeller@ci.el-monte.ca.us](mailto:dkeller@ci.el-monte.ca.us)

**City of Monrovia [A-2236(v)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Monrovia  
c/o City Manager  
415 South Ivy Avenue  
Monrovia, CA 91016  
[cityhall@ci.monrovia.ca.us](mailto:cityhall@ci.monrovia.ca.us)

**City of Agoura Hills [A-2236(w)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail only]**

City of Agoura Hills  
c/o City Manager  
30001 Ladyface Court  
Agoura Hills, CA 91301

**City of Pico Rivera [A-2236(x)]:**

**[via U.S. Mail and email]**

Teresa Chen, Esq.  
Alvarez-Glasman & Colvin  
13181 Crossroads Parkway North  
West Tower, Suite 400  
City of Industry, CA 91746  
[tchen@agclawfirm.com](mailto:tchen@agclawfirm.com)

**[via U.S. Mail and email]**

City of Pico Rivera  
c/o Mr. Ron Bates, City Manager  
and Mr. Arturo Cervantes,  
Director of Public Works  
6615 Passons Boulevard  
Pico Rivera, CA 90660  
[rbates@pico-rivera.org](mailto:rbates@pico-rivera.org)  
[acervantes@pico-rivera.org](mailto:acervantes@pico-rivera.org)



**City of Carson [A-2236(y)]:**

**[via U.S. Mail and email]**

William W. Wynder, Esq., City Attorney  
Aleshire & Wynder, LLP  
2361 Rosecrans Avenue, Suite 475  
El Segundo, CA 90245  
[wwynder@awattorneys.com](mailto:wwynder@awattorneys.com)

**[via U.S. Mail and email]**

David D. Boyer, Esq., Special Counsel  
Wesley A. Miliband, Esq., Special Counsel  
Aleshire & Wynder, LLP  
18881 Von Karman Avenue, Suite 1700  
Irvine, CA 92612  
[dboyer@awattorneys.com](mailto:dboyer@awattorneys.com)  
[wmiliband@awattorneys.com](mailto:wmiliband@awattorneys.com)

**[via U.S. Mail and email]**

City of Carson  
c/o Mr. David C. Biggs, City Manager  
701 E. Carson Street  
Carson, CA 90745  
[dbiggs@carson.ca.us](mailto:dbiggs@carson.ca.us)

**[via U.S. Mail and email]**

City of Carson  
c/o Mr. Farrokh Abolfathi, P.E.  
Principal Civil Engineer  
701 E. Carson Street  
Carson, CA 90745  
[fabolfathi@carson.ca.us](mailto:fabolfathi@carson.ca.us)

**[via U.S. Mail and email]**

City of Carson  
c/o Ms. Patricia Elkins  
Storm Water Quality Programs Manager  
701 E. Carson Street  
Carson, CA 90745  
[pelkins@carson.ca.us](mailto:pelkins@carson.ca.us)

**City of Lawndale [A-2236(z)]:**

**[via U.S. Mail and email]**

Tiffany J. Israel, Esq.  
City Attorney, City of Lawndale  
Aleshire & Wynder, LLP  
18881 Von Karman Avenue, Suite 1700  
Irvine, CA 92612  
[tisrael@awattorneys.com](mailto:tisrael@awattorneys.com)

**[via U.S. Mail and email]**

David D. Boyer, Esq., Special Counsel  
Wesley A. Miliband, Esq., Special Counsel  
Aleshire & Wynder, LLP  
18881 Von Karman Avenue, Suite 1700  
Irvine, CA 92612  
[dboyer@awattorneys.com](mailto:dboyer@awattorneys.com)  
[wmiliband@awattorneys.com](mailto:wmiliband@awattorneys.com)

**[via U.S. Mail and email]**

City of Lawndale  
c/o Mr. Stephen Mandoki, City Manager  
14717 Burin Avenue  
Lawndale, CA 90260  
[smandoki@lawndalecity.org](mailto:smandoki@lawndalecity.org)

**[via U.S. Mail and email]**

City of Lawndale  
c/o Mr. Nasser Abbaszadeh  
Director of Public Works  
14717 Burin Avenue  
Lawndale, CA 90260  
[nabbaszadeh@lawndalecity.org](mailto:nabbaszadeh@lawndalecity.org)

**City of Commerce [A-2236(aa)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Commerce  
c/o Mr. Jorge Rifa, City Administrator  
2535 Commerce Way  
Commerce, CA 90040  
[jorger@ci.commerce.ca.us](mailto:jorger@ci.commerce.ca.us)

**City of Pomona [A-2236(bb)]:**

**[via U.S. Mail and email]**

Andrew L. Jared, Esq.  
Teresa Chen, Esq.  
Alvarez-Glasman & Colvin  
13181 Crossroads Parkway North  
West Tower, Suite 400  
City of Industry, CA 91746  
[tchen@agclawfirm.com](mailto:tchen@agclawfirm.com)  
[andrew@agclawfirm.com](mailto:andrew@agclawfirm.com)

**[via U.S. Mail only]**

City of Pomona  
c/o Ms. Linda Lowry, City Manager  
and Ms. Julie Carver,  
Environmental Programs Coordinator  
P.O. Box 660  
505 S. Garey Avenue  
Pomona, CA 91766

**City of Sierra Madre [A-2236(cc)]:**

**[via U.S. Mail and email]**

Teresa L. Highsmith, Esq., City Attorney  
Holly O. Whatley, Esq.  
Colantuono & Levin, PC  
300 South Grand Avenue, Suite 2700  
Los Angeles, CA 90071-3137  
[thighsmith@cllaw.us](mailto:thighsmith@cllaw.us)  
[hwhatley@cllaw.us](mailto:hwhatley@cllaw.us)

**[via U.S. Mail only]**

City of Sierra Madre  
c/o Ms. Elaine Aguilar, City Manager  
232 West Sierra Madre Boulevard  
Sierra Madre, CA 91024

**City of Downey [A-2236(dd)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Downey  
c/o Yvette M. Abich Garcia, Esq.  
City Attorney  
11111 Brookshire Avenue  
Downey, CA 90241  
[ygarcia@downeyca.org](mailto:ygarcia@downeyca.org)

**[via U.S. Mail and email]**

City of Downey  
c/o Mr. Jason Wen, Ph.D., P.E.  
Utilities Superintendent  
9252 Stewart and Gray Road  
Downey, CA 90241  
[jwen@downeyca.org](mailto:jwen@downeyca.org)

**City of Inglewood [A-2236(ee)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Inglewood  
c/o City Manager  
One Manchester Boulevard  
Inglewood, CA 90301  
[lamimoto@cityofinglewood.org](mailto:lamimoto@cityofinglewood.org)  
[brai@cityofinglewood.org](mailto:brai@cityofinglewood.org)  
[latwell@cityofinglewood.org](mailto:latwell@cityofinglewood.org)  
[jalewis@cityofinglewood.org](mailto:jalewis@cityofinglewood.org)  
[csaunders@cityofinglewood.org](mailto:csaunders@cityofinglewood.org)  
[afields@cityofinglewood.org](mailto:afields@cityofinglewood.org)

**City of Lynwood [A-2236(ff)]:**

**[via U.S. Mail and email]**

Fred Galante, Esq., City Attorney  
David D. Boyer, Esq., Special Counsel  
Wesley A. Miliband, Esq., Special Counsel  
Aleshire & Wynder, LLP  
18881 Von Karman Avenue, Suite 1700  
Irvine, CA 92612  
[dboyer@awattorneys.com](mailto:dboyer@awattorneys.com)  
[wmiliband@awattorneys.com](mailto:wmiliband@awattorneys.com)  
[fgalante@awattorneys.com](mailto:fgalante@awattorneys.com)

**[via U.S. Mail and email]**

City of Lynwood  
c/o Mr. Josef Kekula and Mr. Elias Saikaly  
Public Works Department  
11330 Bullis Road  
Lynwood, CA 90262  
[jkekula@lynwood.ca.us](mailto:jkekula@lynwood.ca.us)  
[esaikaly@lynwood.ca.us](mailto:esaikaly@lynwood.ca.us)

**City of Irwindale [A-2236(gg)]:**

**[via U.S. Mail and email]**

Fred Galante, Esq., City Attorney  
David D. Boyer, Esq., Special Counsel  
Wesley A. Miliband, Esq., Special Counsel  
Aleshire & Wynder, LLP  
18881 Von Karman Avenue, Suite 1700  
Irvine, CA 92612  
[dboyer@awattorneys.com](mailto:dboyer@awattorneys.com)  
[wmiliband@awattorneys.com](mailto:wmiliband@awattorneys.com)  
[fgalante@awattorneys.com](mailto:fgalante@awattorneys.com)

**[via U.S. Mail and email]**

City of Irwindale  
c/o Mr. Kwok Tam, City Engineer  
Public Works Department  
5050 North Irwindale Avenue  
Irwindale, CA 91706  
[ktam@ci.irwindale.ca.us](mailto:ktam@ci.irwindale.ca.us)

**City of Culver City [A-2236(hh)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail and email]**

City of Culver City  
c/o Mr. John Nachbar, City Manager  
9770 Culver Boulevard  
Culver City, CA 90232  
[john.nachbar@culvercity.org](mailto:john.nachbar@culvercity.org)

**City of Signal Hill [A-2236(ii)]:**

**[via U.S. Mail and email]**

David J. Aleshire, Esq., City Attorney  
David D. Boyer, Esq., Special Counsel  
Wesley A. Miliband, Esq., Special Counsel  
Aleshire & Wynder, LLP  
18881 Von Karman Avenue, Suite 1700  
Irvine, CA 92612  
[daleshire@awattorneys.com](mailto:daleshire@awattorneys.com)  
[dboyer@awattorneys.com](mailto:dboyer@awattorneys.com)  
[wmiliband@awattorneys.com](mailto:wmiliband@awattorneys.com)

**[via U.S. Mail and email]**

City of Signal Hill  
c/o Mr. Kenneth Farfsing, City Manager  
2175 Cherry Avenue  
Signal Hill, CA 90755  
[kfarfsing@cityofsignalhill.org](mailto:kfarfsing@cityofsignalhill.org)

**City of Redondo Beach [A-2236(jj)]:**

**[via U.S. Mail and email]**

Lisa Bond, Esq.  
Candice K. Lee, Esq.  
Andrew J. Brady, Esq.  
Richards, Watson & Gershon  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
[lbond@rwqlaw.com](mailto:lbond@rwqlaw.com)  
[clee@rwqlaw.com](mailto:clee@rwqlaw.com)  
[abrady@rwqlaw.com](mailto:abrady@rwqlaw.com)

**[via U.S. Mail only]**

City of Redondo Beach  
c/o Mr. Bill Workman, City Manager  
415 Diamond Street  
Redondo Beach, CA 90277

**City of West Covina [A-2236(kk)]:**

**[via U.S. Mail and email]**

Teresa Chen, Esq.  
Alvarez-Glasman & Colvin  
13181 Crossroads Parkway North  
West Tower, Suite 400  
City of Industry, CA 91746  
[tchen@agclawfirm.com](mailto:tchen@agclawfirm.com)

**[via U.S. Mail and email]**

City of West Covina  
c/o Mr. Andrew Pasmant, City Manager  
1444 West Garvey Avenue, Room 305  
West Covina, CA 91790  
[andrew.pasmant@westcovina.org](mailto:andrew.pasmant@westcovina.org)

**[via U.S. Mail and email]**

City of West Covina  
c/o Ms. Shannon Yauchzee  
Director of Public Works  
1444 West Garvey Avenue  
West Covina, CA 91790  
[shannon.yauchzee@westcovina.org](mailto:shannon.yauchzee@westcovina.org)

**Additional Interested Party By Request:**

**[via U.S. Mail only]**

Andrew R. Henderson, Esq.

General Counsel

Building Industry Legal Defense Foundation

17744 Sky Park Circle, Suite 170

Irvine, CA 92614

[ahenderson@biasc.org](mailto:ahenderson@biasc.org)



**EXHIBIT B**  
**MS4 DISCHARGERS**  
**MAILING LIST**

City of Agoura Hills  
c/o Ramiro S. Adeva III, Public Works  
Director/City Engineer  
30001 Ladyface Court  
Agoura Hills, CA 91301  
[radeva@ci.agoura-hills.ca.us](mailto:radeva@ci.agoura-hills.ca.us)

City of Alhambra  
c/o David Dolphin  
111 South First Street  
Alhambra, CA 91801-3796  
[ddolphin@cityofalhambra.org](mailto:ddolphin@cityofalhambra.org)

City of Arcadia  
c/o Vanessa Hevener  
Environmental Services Officer  
11800 Goldring Road  
Arcadia, CA 91006-5879  
[vhevener@ci.arcadia.ca.us](mailto:vhevener@ci.arcadia.ca.us)

City of Artesia  
c/o Maria Dadian  
Director of Public Works  
18747 Clarkdale Avenue  
Artesia, CA 90701-5899  
[mdadian@cityofartesia.ci.us](mailto:mdadian@cityofartesia.ci.us)

City of Azusa  
c/o Carl Hassel, City Engineer  
213 East Foothill Boulevard  
Azusa, CA 91702  
[chassel@ci.azusa.ca.us](mailto:chassel@ci.azusa.ca.us)

City of Baldwin Park  
c/o David Lopez, Associate Engineer  
14403 East Pacific Avenue  
Baldwin Park, CA 91706-4297  
[dlopez@baldwinpark.com](mailto:dlopez@baldwinpark.com)

City of Bell  
c/o Terry Rodrigue, City Engineer  
6330 Pine Avenue  
Bell, CA 90201-1291  
[tr Rodrigue@cityofbell.org](mailto:tr Rodrigue@cityofbell.org)

City of Bell Gardens  
c/o John Oropeza, Director of Public Works  
7100 South Garfield Avenue  
Bell Gardens, CA 90201-3293

City of Bellflower  
c/o Bernie Iniguez  
Environmental Services Manager  
16600 Civic Center Drive  
Bellflower, CA 90706-5494  
[biniguez@bellflower.org](mailto:biniguez@bellflower.org)

City of Beverly Hills  
c/o Vincent Chee, Project Civil Engineer  
455 North Rexford Drive  
Beverly Hills, CA 90210  
[kgettler@beverlyhills.org](mailto:kgettler@beverlyhills.org)

City of Bradbury  
c/o Elroy Kiepke, City Engineer  
600 Winston Avenue  
Bradbury, CA 91010-1199  
[mkeith@cityofbradbury.org](mailto:mkeith@cityofbradbury.org)

City of Burbank  
c/o Bonnie Teafora, Public Works Director  
P.O. Box 6459  
Burbank, CA 91510  
[bteaford@ci.burbank.ca.us](mailto:bteaford@ci.burbank.ca.us)

City of Calabasas  
c/o Alex Farassati, ESM  
100 Civic Center Way  
Calabasas, CA 91302-3172  
[afarassati@cityofcalabasas.com](mailto:afarassati@cityofcalabasas.com)

City of Carson  
c/o Patricia Elkins  
Building Construction Manager  
P.O. Box 6234  
Carson, CA 90745  
[pelkins@carson.ca.us](mailto:pelkins@carson.ca.us)

City of Cerritos  
c/o Mike O'Grady, Environmental Services  
P.O. Box 3130  
Cerritos, CA 90703-3130  
[mogradyc@cerritos.us](mailto:mogradyc@cerritos.us)

City of Claremont  
c/o Brian Desatnik  
Director of Community Development  
207 Harvard Avenue  
Claremont, CA 91711-4719  
[bdesatnik@ci.claremont.ca.us](mailto:bdesatnik@ci.claremont.ca.us)

City of Commerce  
c/o Gina Nila  
2535 Commerce Way  
Commerce, CA 90040-1487  
[gnila@ci.commerce.ca.us](mailto:gnila@ci.commerce.ca.us)

City of Compton  
c/o Hien Nguyen, Assistant City Engineer  
25 South Willowbrook Avenue  
Compton, CA 90220-3190

City of Covina  
c/o Vivian Castro  
Environmental Services Manager  
125 East College Street  
Covina, CA 91723-2199  
[vastro@covinaca.gov](mailto:vastro@covinaca.gov)

City of Cudahy  
c/o Hector Rodriguez, City Manager  
P.O. Box 1007  
Cudahy, CA 90201-6097  
[hrodriguez@cityofcudahy.ca.us](mailto:hrodriguez@cityofcudahy.ca.us)

City of Culver City  
c/o Damian Skinner, Manager  
9770 Culver Boulevard  
Culver City, CA 90232-0507

City of Diamond Bar  
c/o David Liu, Director of Public Works  
21825 East Copley Drive  
Diamond Bar, CA 91765-4177  
[dliu@diamondbarca.gov](mailto:dliu@diamondbarca.gov)

City of Downey  
c/o Jason Wen, Ph.D., P.E.  
Utilities Superintendent  
9252 Stewart and Gray Road  
Downey, CA 90241  
[jwen@downeyca.org](mailto:jwen@downeyca.org)

City of Duarte  
c/o Steve Esbenshades  
Engineering Division Manager  
1600 Huntington Drive  
Duarte, CA 91010-2592

City of El Monte  
c/o James A. Enriquez  
Director of Public Works  
P.O. Box 6008  
El Monte, CA 91731

City of El Segundo  
c/o Stephanie Katsouleas  
Public Works Director  
350 Main Street  
El Segundo, CA 90245-3895  
[skatsouleas@elsegundo.org](mailto:skatsouleas@elsegundo.org)

City of Gardena  
c/o Ron Jackson  
Building Maintenance Supervisor  
P.O. Box 47003  
Gardena, CA 90247-3778  
[ifelix@ci.gardena.ca.us](mailto:ifelix@ci.gardena.ca.us)

City of Glendale  
c/o Maurice Oillataguerre  
Senior Environmental Program Scientist  
Eng. Section, 633 East Broadway, Rm. 209  
Glendale, CA 91206-4308  
[moillataguerre@ci.glendale.ca.us](mailto:moillataguerre@ci.glendale.ca.us)

City of Glendora  
c/o Dave Davies  
Deputy Director of Public Works  
116 East Foothill Boulevard  
Glendora, CA 91741  
[ddavies@ci.glendora.ca.us](mailto:ddavies@ci.glendora.ca.us)

City of Hawaiian Gardens  
c/o Joseph Colombo  
Director of Community Development  
21815 Pioneer Boulevard  
Hawaiian Gardens, CA 90716  
[icolombo@ghcity.org](mailto:icolombo@ghcity.org)

City of Hawthorne  
c/o Arnold Shadbeh  
Chief General Service and Public Works  
4455 West 126<sup>th</sup> Street  
Hawthorne, CA 90250-4482  
[ashadbeh@cityofhawthorne.org](mailto:ashadbeh@cityofhawthorne.org)

City of Hermosa Beach  
c/o Homayoun Behboodi  
Associate Engineer  
1315 Valley Drive  
Hermosa Beach, CA 90254-3884  
[hbehboodi@hermosabch.org](mailto:hbehboodi@hermosabch.org)

City of Hidden Hills  
c/o Kimberly Colberts  
Environmental Coordinator  
6165 Spring Valley Road  
Hidden Hills, CA 91302

City of Huntington Park  
c/o Craig Melich  
City Engineer and City Official  
6550 Miles Avenue  
Huntington Park, CA 90255

City of Industry  
c/o Mike Nagaoka  
Director of Public Safety  
P.O. Box 3366  
Industry, CA 91744-3995

City of Inglewood  
c/o Lauren Amimoto  
Senior Administrative Analyst  
1 W. Manchester Boulevard, 3<sup>rd</sup> Floor  
Inglewood, CA 90301-1750  
[lamimoto@cityofinglewood.org](mailto:lamimoto@cityofinglewood.org)

City of Irwindale  
c/o Kwok Tam  
Director of Public Works  
5050 North Irwindale Avenue  
Irwindale, CA 91706  
[ktam@ci.irwindale.ca.us](mailto:ktam@ci.irwindale.ca.us)

City of La Canada Flintridge  
c/o Edward G. Hitti  
Director of Public Works  
1327 Foothill Boulevard  
La Canada Flintridge, CA 91011-2137  
[ehitti@lcf.ca.gov](mailto:ehitti@lcf.ca.gov)

City of La Habra Heights  
c/o Shauna Clark, City Manager  
1245 North Hacienda Boulevard  
La Habra Heights, CA 90631-2570  
[shaunac@lhcity.org](mailto:shaunac@lhcity.org)

City of La Mirada  
c/o Steve Forster  
Public Works Director  
13700 La Mirada Boulevard  
La Mirada, CA 90638-0828  
[sforster@cityoflamirada.org](mailto:sforster@cityoflamirada.org)

City of La Puente  
c/o John DiMario  
Director of Development Services  
15900 East Marin Street  
La Puente, CA 91744-4788  
[jdinario@lapuente.org](mailto:jdinario@lapuente.org)

City of La Verne  
c/o Daniel Keeseey  
Director of Public Works  
3660 "D" Street  
La Verne, CA 91750-3599  
[dkeeseey@ci.la-verne.ca.us](mailto:dkeeseey@ci.la-verne.ca.us)

City of Lakewood  
c/o Konya Vivanti  
P.O. Box 158  
Lakewood, CA 90714-0158  
[kvivanti@lakewoodcity.org](mailto:kvivanti@lakewoodcity.org)

City of Lawndale  
c/o Marlene Miyoshi  
Senior Administrative Analyst  
14717 Burin Avenue  
Lawndale, CA 90260

City of Lomita  
c/o Tom A. Odom, City Administrator  
P.O. Box 339  
Lomita, CA 90717-0098  
[d.tomita@lomitacity.com](mailto:d.tomita@lomitacity.com)

City of Los Angeles  
c/o Shahram Kharanghani  
Program Manager  
1149 S. Broadway, 10<sup>th</sup> Floor  
Los Angeles, CA 90015

City of Lynwood  
c/o Josef Kekula  
11330 Bullis Road  
Lynwood, CA 90262-3693

City of Malibu  
c/o Jennifer Brown  
Environmental Program Analyst  
23825 Stuart Ranch Road  
Malibu, CA 90265-4861  
[jbrown@malibucity.org](mailto:jbrown@malibucity.org)

City of Manhattan Beach  
c/o Brian Wright, Water Supervisor  
1400 Highland Avenue  
Manhattan Beach, CA 90266-4795  
[bwright@citymb.info](mailto:bwright@citymb.info)

City of Maywood  
c/o Andre Dupret, Project Manager  
4319 East Slauson Avenue  
Maywood, CA 90270-2897

City of Monrovia  
c/o Heather Maloney  
415 South Ivy Avenue  
Monrovia, CA 91016-2888  
[hmaloney@ci.monrovia.ca.gov](mailto:hmaloney@ci.monrovia.ca.gov)

City of Montebello  
c/o Cory Roberts  
1600 West Beverly Boulevard  
Montebello, CA 90640-3970  
[croberts@aaeinc.com](mailto:croberts@aaeinc.com)

City of Monterey Park  
c/o Amy Ho or John Hunter, Consultant  
320 West Newmark Avenue  
Monterey Park, CA 91754-2896  
[amho@montereypark.ca.gov](mailto:amho@montereypark.ca.gov)  
[jhunter@jhla.net](mailto:jhunter@jhla.net)

City of Norwalk  
c/o Daniel R. Garcia, City Engineer  
P.O. Box 1030  
Norwalk, CA 90651-1030  
[dgarcia@norwalkca.gov](mailto:dgarcia@norwalkca.gov)

City of Palos Verdes Estates  
c/o Allan Rigg, Director of Public Works  
340 Palos Verdes Drive West  
Palos Verdes Estates, CA 90274  
[arigg@pvestates.org](mailto:arigg@pvestates.org)

City of Paramount  
c/o Christopher S. Cash  
Director of Public Works  
16400 Colorado Avenue  
Paramount, CA 90723-5091  
[ccash@paramountcity.com](mailto:ccash@paramountcity.com)

City of Pasadena  
c/o Stephen Walker  
P.O. Box 7115  
Pasadena, CA 91109-7215  
[swalker@cityofpasadena.net](mailto:swalker@cityofpasadena.net)

City of Pico Rivera  
c/o Art Cervantes  
Director of Public Works  
P.O. Box 1016  
Pico Rivera, CA 90660-1016  
[acervantes@pico-rivera.org](mailto:acervantes@pico-rivera.org)

City of Pomona  
c/o Julie Carver  
Environmental Programs Coordinator  
P.O. Box 660  
Pomona, CA 91769-0660  
[julie\\_carver@ci.pomona.ca.us](mailto:julie_carver@ci.pomona.ca.us)

City of Rancho Palos Verdes  
c/o Ray Holland  
Interim Public Works Director  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90275  
[clehr@rpv.com](mailto:clehr@rpv.com)

City of Redondo Beach  
c/o Mike Shay  
Principal Civil Engineer  
P.O. Box 270  
Redondo Beach, CA 90277-0270  
[mshay@redondo.org](mailto:mshay@redondo.org)

City of Rolling Hills  
c/o Greg Grammer  
Assistant to the City Manager  
2 Portuguese Bend Road  
Rolling Hills, CA 90274-5199  
[ggrammer@rollinghillsestatesca.gov](mailto:ggrammer@rollinghillsestatesca.gov)

City of Rolling Hills Estates  
c/o Greg Grammer  
Assistant to the City Manager  
4045 Palos Verdes Drive North  
Rolling Hills Estates, CA 90274  
[ggrammer@rollinghillsestatesca.gov](mailto:ggrammer@rollinghillsestatesca.gov)

City of Rosemead  
c/o Chris Marcarello  
Director of Public Works  
8838 East Valley Boulevard  
Rosemead, CA 91770-1787

City of San Dimas  
c/o Latoya Cyrus  
Environmental Services Coordinator  
245 East Bonita Avenue  
San Dimas, CA 91773-3002  
[lcyrus@ci.san-dimas.ca.us](mailto:lcyrus@ci.san-dimas.ca.us)

City of San Fernando  
c/o Ron Ruiz  
Director of Public Works  
117 Macneil Street  
San Fernando, CA 91340  
[r Ruiz@sfcity.org](mailto:r Ruiz@sfcity.org)

City of San Gabriel  
c/o Daren T. Grilley, City Engineer  
425 South Mission Drive  
San Gabriel, CA 91775

City of San Marino  
c/o Chuck Richie  
Director of Parks and Public Works  
2200 Huntington Drive  
San Marino, CA 91108-2691  
[criche@cityofsanmarino.org](mailto:criche@cityofsanmarino.org)

City of Santa Clarita  
c/o Travis Lange  
Environmental Services Manager  
23920 West Valencia Boulevard, Suite 300  
Santa Clarita, CA 91355

City of Santa Fe Springs  
c/o Sarina Morales-Choate  
Civil Engineer Assistant  
P.O. Box 2120  
Santa Fe Springs, CA 90670-2120  
[smorales-choate@santafesprings.org](mailto:smorales-choate@santafesprings.org)

City of Santa Monica  
c/o Neal Shapiro  
Urban Runoff Coordinator  
1685 Main Street  
Santa Monica, CA 90401-3295  
[nshapiro@smgov.net](mailto:nshapiro@smgov.net)

City of Sierra Madre  
c/o James Carlson, Management Analyst  
232 West Sierra Madre Boulevard  
Sierra Madre, CA 91024-2312

City of Signal Hill  
c/o John Hunter  
2175 Cherry Avenue  
Signal Hill, CA 90755  
[jhunter@jlha.net](mailto:jhunter@jlha.net)

City of South El Monte  
c/o Anthony Ybarra, City Manager  
1415 North Santa Anita Avenue  
South El Monte, CA 91733-3389

City of South Gate  
c/o John Hunter  
8650 California Avenue  
South Gate, CA 90280  
[jhunter@jlha.net](mailto:jhunter@jlha.net)

City of South Pasadena  
c/o John Hunter  
1414 Mission Street  
South Pasadena, CA 91030-3298  
[jhunter@jlha.net](mailto:jhunter@jlha.net)

City of Temple City  
c/o Joe Lambert or John Hunter  
9701 Las Tunas Drive  
Temple City, CA 91780-2249  
[jhunter@jlha.net](mailto:jhunter@jlha.net)

City of Torrance  
c/o Leslie Cortez  
Senior Administrative Assistant  
3031 Torrance Boulevard  
Torrance, CA 90503-5059

City of Vernon  
c/o Claudia Arellano  
4305 Santa Fe Avenue  
Vernon, CA 90058-1786

City of Walnut  
c/o Jack Yoshino  
Senior Management Assistant  
P.O. Box 682  
Walnut, CA 91788

City of West Covina  
c/o Samuel Gutierrez  
Engineering Technician  
P.O. Box 1440  
West Covina, CA 91793-1440  
[sam.gutierrez@westcovina.org](mailto:sam.gutierrez@westcovina.org)

City of West Hollywood  
c/o Sharon Perlstein, City Engineer  
8300 Santa Monica Boulevard  
West Hollywood, CA 90069-4314  
[sperlstein@weho.org](mailto:sperlstein@weho.org)

City of Westlake Village  
c/o Joe Bellomo  
Stormwater Program Manager  
31200 Oak Crest Drive  
Westlake Village, CA 91361  
[jbello@willdan.com](mailto:jbello@willdan.com)

City of Whittier  
c/o David Mochizuki  
Director of Public Works  
13230 Penn Street  
Whittier, CA 90602-1772  
[dmochizuki@cityofwhittier.org](mailto:dmochizuki@cityofwhittier.org)

County of Los Angeles  
c/o Gary Hildebrand, Assistant Deputy  
Director, Division Engineer  
900 South Fremont Avenue  
Alhambra, CA 91803  
[ghildeb@dpw.lacounty.gov](mailto:ghildeb@dpw.lacounty.gov)

Los Angeles County Flood Control District  
c/o Gary Hildebrand, Assistant Deputy  
Director, Division Engineer  
900 South Fremont Avenue  
Alhambra, CA 91803  
[ghildeb@dpw.lacounty.gov](mailto:ghildeb@dpw.lacounty.gov)

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**Los Angeles Regional Water Quality Control Board**

**TO:** Emel G. Wadhvani  
Senior Staff Counsel

**FROM:** Samuel Unger *Samuel Unger*  
EXECUTIVE OFFICER

**DATE:** July 11, 2013

**SUBJECT:** PETITIONS OF CITY OF SAN MARINO, ET AL., (WASTE DISCHARGE REQUIREMENTS ORDER NO. R4-2012-0175 [NPDES NO. CAS004001] FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) DISCHARGES WITHIN THE COASTAL WATERSHEDS OF LOS ANGELES COUNTY, EXCEPT THOSE DISCHARGES ORIGINATING FROM THE CITY OF LONG BEACH MS4), LOS ANGELES WATER BOARD: COMPLETE PETITION (30-DAY RESPONSE)

**SWRCB/OCC FILES A-2236(a) THROUGH (kk)**

**LOS ANGELES WATER BOARD REQUEST FOR EXTENSION OF TIME TO FILE RESPONSE AND ADMINISTRATIVE RECORD**

The Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) has received your letter dated July 8, 2013, providing an opportunity to submit to the State Water Resources Control Board (State Water Board) responses to the petitions and requesting that the Los Angeles Water Board submit the administrative record in the matter of the Los Angeles County MS4 permit (LA MS4 permit). For the following reasons, the Los Angeles Water Board respectfully requests a 44 day extension of time, until September 20, 2013, (i.e., 74 days total) to submit the Los Angeles Water Board's response to the petitions and the administrative record:

The record for this matter is very large - consisting of approximately 15,000 pages – and includes documents from numerous workshops, hearings, and opportunities for the submittal of written comments. Although the Los Angeles Water Board staff has been in the process of compiling the record, it will take considerable additional time to assure that it 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.

The Los Angeles Water Board is required to respond to 37 separate petitions and although there is some duplication, the petitions raise more than 50 contentions and each of the 37 petitioners has raised issues unique to their circumstances. Many of the issues raised are both legally and factually complex. It is necessary and appropriate for

the Los Angeles Water Board to have adequate time to respond to each of the contentions raised.

The staff and attorneys assigned to this matter have limited availability during the next 30 days. The 30-day letter was received on July 8, during the week of a Los Angeles Water Board meeting (July 11, 2013) and the staff involved in the LA MS4 permit are involved in matters at that Board meeting and, therefore, cannot work on the petition response or record until after the Board meeting. One staff person significantly involved in the preparation of the administrative record is on long-term family medical leave. The Los Angeles Water Board has three attorneys assigned to advise the Board, but one of those attorneys is on maternity leave for at least three more months. The other two attorneys must continue to handle all the other matters before the Board, including attending the Board meeting in July and September. Those two attorneys have also planned vacation during the summer months including during two of the weeks of the 30 days you have provided in the letter. The Assistant Chief Counsel for the Regional Boards section is also on vacation nearly all of August and needs time to review the Los Angeles Water Board's response prior to submittal to the State Water Board. Other Los Angeles Water Board staff assigned to this matter have also planned vacations during the 30-day time period you have provided and also have other duties. Taking into account the availability of staff and attorneys assigned to work on this matter, there are actually only two weeks during the 30-day time period that staff are available to prepare the response and record.

Due to the large number of petitions, the large number and complexity of the issues, and staff availability, 30 days is not sufficient time to prepare proper responses to the petitions and to complete preparation of the administrative record. The Los Angeles Water Board requests the State Water Board allow the Regional Board until September 20 to submit the record and responses to the petitions. This date takes into account staff availability and time needed by those staff involved in the two Los Angeles Water Board regular meetings that occur during that time period. In the event, the Los Angeles Water Board can complete the record prior to that date, the Board will provide it.

If you have any questions, please contact Renee Purdy at [rpurdy@waterboards.ca.gov](mailto:rpurdy@waterboards.ca.gov) or at (213) 576-6622 or Frances McChesney at [fmccchesney@waterboards.ca.gov](mailto:fmccchesney@waterboards.ca.gov) or at (916) 341-5174.

cc: See next page



cc: **[via email only]**  
Exhibit A- Petitioners and Their  
Counsel of Record

**[via email only]**  
Exhibit B – MS4 Dischargers List

Ms. Emel G. Wadhvani **via email  
only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[ewadhvani@waterboards.ca.gov](mailto:ewadhvani@waterboards.ca.gov)

Ms. Deborah Smith **[via email only]**  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[dsmith@waterboards.ca.gov](mailto:dsmith@waterboards.ca.gov)

Ms. Paula Rasmussen **[via email only]**  
Assistant Executive Officer  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[prasmussen@waterboards.ca.gov](mailto:prasmussen@waterboards.ca.gov)

Ms. Renee Purdy **[via email only]**  
Environmental Program Manager I  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[rpurdy@waterboards.ca.gov](mailto:rpurdy@waterboards.ca.gov)

Mr. Ivar Ridgeway **[via email only]**  
Environmental Scientist  
Los Angeles Regional Water Quality  
Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
[iridgeway@waterboards.ca.gov](mailto:iridgeway@waterboards.ca.gov)

Lori T. Okun, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[lokun@waterboards.ca.gov](mailto:lokun@waterboards.ca.gov)

Frances L. McChesney, Esq.  
**[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[FMcChesney@waterboards.ca.gov](mailto:FMcChesney@waterboards.ca.gov)

Jennifer L. Fordyce, Esq.  
**[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[jfordyce@waterboards.ca.gov](mailto:jfordyce@waterboards.ca.gov)

Nicole L. Johnson, Esq.  
**[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[njohnson@waterboards.ca.gov](mailto:njohnson@waterboards.ca.gov)

Michael Lauffer, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[mлаuffer@waterboards.ca.gov](mailto:mлаuffer@waterboards.ca.gov)

(Continued next page)

cc: (Continued)

Philip G. Wyels, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[pwuels@waterboards.ca.gov](mailto:pwuels@waterboards.ca.gov)

Bethany A. Pane, Esq. **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[bpane@waterboards.ca.gov](mailto:bpane@waterboards.ca.gov)

Joanne Griffin **[via email only]**  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, 22nd Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100  
[jgriffin@waterboards.ca.gov](mailto:jgriffin@waterboards.ca.gov)

Mr. David W. Smith, Chief **[via email only]**  
Permits Office  
U.S. EPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 941 05  
[smith.davidw@epa.gov](mailto:smith.davidw@epa.gov)

RB4 Lyris List: Storm Water – Los Angeles County MS4

SB Lyris List: A-2236(a thru kk)