TERESA L. HIGHSMITH, State Bar No. 155262
THighsmith@CLLAW.US
CITY ATTORNEY

HOLLY O. WHATLEY, State Bar No. 160259
HWhatley@CLLAW.US
COLANTUONO & LEVIN, PC
300 S. Grand Avenue, Suite 2700
Los Angeles, California 90071-3137
Telephone: (213) 542-5700
Facsimile: (213) 542-5710

Attorneys for Petitioner
City of Sierra Madre

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

In the Matter of Petition of: City of Sierra Madre from California Regional Water Quality Control Board, Los Angeles Region, Waste Discharge Requirements 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, Order NO. R4-2012-0175, NPDES Permit No. CAS004001.	**SWRCB FILES A-2236(A) THROUGH (KK)** **PETITIONER CITY OF SIERRA MADRE'S OPPOSITION TO NRDC'S PETITION CHALLENGING 2012 LOS ANGELES MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (NO. R4-2012-0175)**

I. Introduction

In adopting the Waste Discharge Requirements 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, Order NO. R4-2012-0175, NPDES Permit No. CAS004001 issued on November 8, 2012 ("2012 Permit"), the Los Angeles Regional Water Quality Control Board ("LARWQCB or Regional Board") created unnecessary liability for Petitioner and the other Permittees (collectively "Permittees"). Incredibly, the National Resources Defense Council's Petition would have the State Water Resources Control Board ("SWRCB") the Permit to impose even more draconian requirements. The SWRCB should reject such efforts and instead modify the Permit to

mandate compliance with the applicable water quality standards by Petitioner City of Sierra Madre ("Petitioner") through an iterative process requiring continual adjustment to implemented best management practices ("BMPs").

As explained below, the Clean Water Act explicitly recognizes that MS4s are different than other point sources, such as chemical plant outfalls, and requires Permittees to "reduce the discharge of pollutants to the maximum extent practicable," not to absolute zero. (33 U.S.C. section 1342 (p)(3)(B)(iii).) This provision reflectsthe reality of MS4s, which collect stormwater from streets and gutters and runoff of urban land, convey it through storm drains and discharge it to rivers. The Los Angeles County MS4, is an interconnected system that spans the entire Los Angeles basin, incorporates the smaller MS4s of 84 Cities, Los Angeles County, and the Los Angeles County Flood Control District ("Flood Control District"). There is no physical separation among the MS4s maintained by each jurisdiction and runoff flows freely from the upland cities, through the MS4s of the midland cities, down to the Pacific Ocean via the larger flood control channels maintained by the Flood Control District, which at times merge with the Los Angeles and San Gabriel Rivers. In short, the system is complex.

Yet, despite this complexity and the fact that the individual cities previously held a rearguard role to the Flood Control District (the Principal Permittee), the 2012 Permit forces every city in Los Angeles County, except Long Beach, to immediately comply with strict numeric effluent limitations or else to complete a Watershed Management Plan ("WMP") or Enhanced Watershed Management Plan ("EWMP"). The Petition challenging the 2012 Permit by the Natural Resources Defense Council ("NRDC") and other environmental groups goes even further, and seeks the deletion of the interim compliance provided by the WMP/EWMP process. These requirements, both the current RWL and the environmental group's proposed adjustments, exceed what is allowable and what is reasonable. Cities require time and an opportunity to comply with the 2012 Permit. It is impractical for petitioner to comply instantly, without any time for city to review and adjust its stormwater quality measures. Similarly, those cities, including Petitioner, which are

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

completing a WMP or EWMP require both the regulatory certainty inherent in the WMP/EWMP process and sufficient time to develop and implement these plans. Failing to do so will force cities to devote resources that would otherwise be used for water quality improvements to litigation defending against third-party suits instead.

To avoid this unintended and unnecessary result, the 2012 Permit should be modified as requested by Petitioner in its Petition, particularly by replacing the strict numeric effluent limitations with non-numeric effluent limitations requiring adjustments of BMPs if an exceedance occurs via an iterative process. The modifications the NRDC requests, by contrast, should be rejected.

II. Receiving Waters Limitations Language Creates Unnecessary Liability and is Not Required by Federal or State Law

The 2012 Permit's Receiving Waters Limitations Language ("RWL") should be amended to allow an iterative process by which a city may implement BMPs without unnecessary exposure to unwarranted third party or Regional Board enforcement actions. The 2012 Permit's RWL language is virtually identical to the RWL language in the 2001 Permit for the MS4, also adopted by the LARWQCB. In a case brought by the Natural Resources Defense Council against Los Angeles County and the Flood Control District regarding exceedances of water quality standards detected at the County's monitoring stations, the Ninth Circuit found that the 2001 Permit's RWL language imposes strict numeric limits on Permittees. (*Natural Resources Defense Council, et al. v. County of Los Angeles, Los Angeles County Flood Control District, et al.* (9th Cir. 2013) 725 F.3d 1194, 1206–1207 [hereinafter *Natural Resources Defense Council*].)

In this decision, the Ninth Circuit found that the County was liable for exceedances detected at monitoring stations in the Los Angeles and San Gabriel Rivers, although it left the determination of the appropriate remedy for the District Court. As highlighted by this decision, if left unchanged, the RWL language in the 2012 Permit would expose every individual city, including Petitioner, all of which are now Principal Permittees under the 2012 Permit, to a risk of potential liability for any exceedances of

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

numeric water quality standards. Exposing Petitioner to this risk of potential liability, including third party lawsuits, is unnecessary, deviates from established SWRCB precedent, and fails to recognize the realities of the MS4 system. Petitioner has little control over the sources of any pollutants that create the exceedances and thus should not be subjected to liability for any given exceedance provided it otherwise engages in an adaptive management approach and uses BMPs to address the exceedances.

A. The Permit's RWL Language Defeats the Intent of SWRCB's Precedential Order WQ 99-05, Requiring Compliance via an Iterative Process

The 2012 Permit deviates from the intent of the RWL language required by SWRCB precedential Order WQ 99-05, promulgated in 1999. This order provided that future MS4 permits in California should include RWL, that require compliance with applicable water quality standards "through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the [Stormwater Management Program] and other requirements of this permit and any modifications." The required RWL language provides that, in the event of an exceedance of a water quality standard, a permittee must assess its current BMPs, identify additional measures to be taken, and devise an implementation schedule all of which are to be presented to the appropriate Regional Board. Once the Regional Board approves or adjusts the submitted measures the permittee must implement the additional BMPs. The intent of Order WQ 99-05 is plain; as long as a permittee completes this iterative process and implements the required BMPs, it will be deemed in compliance with the permit and not subject to potential liability from third-party suits. If instead a permittee fails to engaging in the iterative process and modifys its implemented BMPs to address an exceedance, then of course the permittee is subject to potential liability from third-party suits.

While the 2012 Permit includes this language,it lacks the necessary additional language to actually implement Order WQ 99-05. The Ninth Circuit determined that, the 2001 Permit imposed strict liability on a Permittee for any exceedance, regardless of

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

compliance with the iterative process requirement. (*Natural Resources Defense Council, supra,* 725 F.3d at 1206–1207.) The 2012 Permit suffers from the same defect in Part V.A because, while it includes the standard RWL language in Part V.A.3, it fails to also specify in Parts V.A.1–2 that compliance with the iterative process in the event of an exceedance or a nuisance discharge constitutes compliance with the Permit. Without modification, Petitioner and the other Permittees will be subject to potential liability in the event of an exceedance, regardless of their implementation of additional BMPs via the iterative process. This defeats the purpose of the iterative process..(SWRCB's Order WQ 99-05.) Moreover it serves no purpose other than to punish permittees who are using their best effort to comply. Therefore, the SWRCB should modify the 2012 Permit by adding language confirming that compliance with the iterative process in the event of an exceedance constitutes compliance with the Permit.

B. Federal Law Allows an Iterative Process and Does Not Require Strict Numeric Effluent Limitations

The Federal Water Pollution Control Act, 33 U.S.C. section 1251, *et seq.*, commonly known as the Clean Water Act, generally prohibits discharge of any pollutant into waters of the United States, unless authorized via an exception. (33 U.S.C. § 1311, subd. (a).) An exception is a discharge authorized by an NPDES Permit, which are issued either by the EPA or by a state under devolved jurisdiction. (33 U.S.C. § 1342.) The requirements of a permit must generally be structured such that the permittee will achieve compliance with applicable water quality standards. (*Communities for a Better Environment v. State Water Resources Control Bd.* (2003) 109 Cal.App.4th 1089, 1093.)

Contrary to the contentions of the Petition of the NRDC, Heal the Bay, and Los Angeles Waterkeeper, the Clean Water Act does not require that NPDES permits include strict numeric effluent limitations, against which a permittee's achievement of water quality standards are measured. (See *Communities for a Better Environment, supra,* 109 Cal.App.4th at 1105 [Clean Water Act does not require water quality-based effluent limitations to be numeric in NPDES Permit.].) This is particularly true for MS4 Permits,

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

which Congress authorized by a special section of the Clean Water Act. Specifically, 33 U.S.C. section 1342 (p)(3)(B) provides:

> (B) Municipal discharges
>
> Permits for discharges from municipal storm sewers—
>
> (i) may be issued on a system or jurisdiction-wide basis;
>
> (ii) shall include a requirement to effective prohibit non-stormwater discharges into the storm sewers; and
>
> (iii) shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design, and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants.

Thus, the Clean Water Act explicitly provides that MS4s Permits may require BMPs and other engineered solutions to achieve compliance with water quality standards. It does not require strict numeric effluent limitations.

In *Defenders of Wildlife v. Browner* (9th Cir. 1999) 191 F.3d 1159, 1165–1167, the Ninth Circuit considered this section and held that Congress did not require NPDES Permits for MS4s to require compliance with numeric effluent limitations; instead Congress required municipal storm sewer discharges to reduce pollutant discharges to the maximum extent practicable. The court found that the EPA or a state has the discretion to impose numeric effluent limitations, but importantly concluded that numeric effluent limitations are not required for MS4 permits, rejecting the very argument advanced by the National Resources Defense Council, Heal the Bay and Los Angeles Waterkeeper. (*Id.* at 1166–1167.) Thus the environmental petitioners' contention here that the 2012 Permit must impose strict numeric effluent limitations is false. The Clean Water Act simply does not require MS4 permits to include strict numeric effluent limitations, and the Board has discretion to amend the Permit to allow compliance though the iterative process.

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

C. Collateral Estoppel Does Not Prevent Petitioner from Seeking Modifications to the 2012 Permit

The NRDC's argument regarding collateral estoppel misses a fundamental point; each permit is a separate permit and the LARWQCB need not use the same language or the same approach for the 2012 Permit as it took in the 2001 Permit. Thus, litigation that upheld the 2001 Permit (See *County of Los Angeles, et al. v. California State Water Resources Control Board, et al.* (2006) 143 Cal.App.4th 985 does not estop Petitioner from advocating that the 2012 Permit must be modified to achieve compliance via an iterative process by deleting the strict numeric effluent limitations. [Note that Petitioner was not a party to this appeal of the Superior Court's judgment upholding the 2001 Permit.].

First and foremost, the 2012 Permit is distinct from the 2001 Permit, and The SWRCB has the primary power to modify the 2012 Permit to provide that a city's compliance with the iterative process constitutes compliance with the Permit. Second, 9th Circuit ruling does not preclude the LARWQCB or the SWRCB from imposing different language in the 2012 Permit, requiring compliance with non-numeric effluent limitations. The NRDC's collateral estoppel contention would be relevant if Petitioner sought to challenge the 2001 Permit; but the Petition does not seek to do so. Instead, Petitioner seeks an order from the SWRCB requiring modifications to the new 2012 Permit and thus is not bound by the outcome of the litigation over the 2001 Permit as the permits are distinct. Collateral estoppel is also inappropriate in this context, as it is a doctrine which prevents re-litigating final judicial determinations, but does not prevent an administrative body from revaluating a previous decision. The Petition seeks an order from the SWRCB modifying the language of the 2012 Permit. The 2012 Permit, while a renewal of the 2001 Permit, is a distinct permit. The outcome of the litigation on the 2001 Permit does not bind the LARWQCB in determining the terms of the 2012 Permit. Instead, the LARWQCB retains the discretion to impose reasonable and feasible permit terms, within the bounds of state and federal law. The Board's discretion as to the appropriate permit terms is not limited by a prior judicial determination as to the meaning of the terms of the 2001 Permit. Similarly, the SRWCB retains plenary power to modify the terms of the 2012 Permit, regardless of previous determinations as to the meaning of the 2001 Permit's terms.

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

III. The Permit Should be Modified to Allow Permittees to Achieve Compliance via an Iterative Process, by deleting the Strict Numeric Effluent Limitations

Strict numeric effluent limitations, are infeasible here. The SWRCB should modify the 2012 Permit by adjusting the RWL to provide instead that the Permittees will be in compliance with the Permit in the event of an exceedance if they complete the iterative process and adjust their implemented BMPs. This modification will ensure that the 2012 Permit complies with the Clean Water Act's requirement that MS4 permits "require controls to reduce the discharge of pollutants to *the maximum extent practicable.*" (33 U.S.C. § 1342, subd. (p)(3)(B) [emphasis added].) Petitioner supports the proposed language to this effect provided to the SWRCB by the California Stormwater Quality Association in its comment letter dated August 15, 2013.

Strict numeric effluent limitations for MS4s, such as those imposed by the 2012 Permit, are infeasible. As recognized by the draft NPDES Permit for CalTrans, "storm water discharges from MS4s are highly variable in frequency, intensity, and duration, and it is difficult to characterize the amount of pollutants in the discharges." This is particularly true for the LA County MS4 system, which is amalgam of 88 smaller MS4s run by individual jurisdictions all of which are tied together.

> "Each of these ms4s connects to the [LA County Flood Control] District's substantially larger ms4, an extensive flood-control and storm-sewer infrastructure consisting of approximately 500 miles of open channels and 2,800 miles of storm drains. Because a comprehensive map of the County Defendants' storm sewer system does not exist, no one knows the exact size of the LA MS43 or the locations of all of its storm drain connections and outfalls."

(*Natural Resources Defense Council, supra,* 725 F.3d 1194, 1197–1198.) From the larger portion

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

of the interconnected MS4 run by the LA County Flood Control District, stormwater then drains into several rivers and ultimately the Pacific Ocean. (*Ibid.*) The system is complex and not fully-understood, as the lack of a comprehensive map evidences. Yet, in the face of this, the LARWQCB chose, without any requirement to do so, to require compliance with strict numeric effluent limitations.

Compliance with strict numeric effluent limitations is not practicable on any reasonable time-frame because the system is too complex and inadequately understood. But, under the 2012 Permit's terms, Permittees must have *already* achieved compliance with every numeric effluent limitation standard because the Permits requires strict compliance with all numeric effluent limitation standard, despite any other actions of the Permittee. In the decade since the LARWQCB adopted the 2001 Permit, the Flood Control District, acting as the Principal Permittee, was unable to eliminate all exceedances of the applicable numeric effluent limitations. Yet somehow, each of the 88 cities, have just been thrust into a Permittee role for its own MS4s, and is now required to immediately achieve on its own what the County was unable to do in a decade! This is simply infeasible and thus, is not practicable and contrary to the mandate in section 1342(p)(3)(B).

The impracticability is true for all Permittees, but is particularly true especially so for smaller Cities, such as Petitioner, which had a limited role under the 2001 Permit. Under the 2001 Permit, the Flood Control District held the central planning and compliance role with respect to the MS4, as it was the Principal Permittee. The Flood Control District had the main responsibility for compliance with the permit's terms including from a regional perspective. In many cases, the County and the Flood Control District undertook compliance projects, with cooperation from the necessary cities, but the Flood Control District had the staff and expertise necessary to identify, develop, and complete projects designed to improve stormwater quality. Now, under the 2012 Permit, each city has been made an equal Permittee and the Flood Control District has ceased to be the Principal Permittee. Petitioner needs a meaningful opportunity to step into its new role as an equal Permittee. Petitioner must develop new expertise in this realm, form new relationships

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

with its neighboring cities, and assume previously performed by the County. To succeed in this new role and thus to achieve compliance requires that the LARWQCB give Petitioner sufficient time to develop and implement adjustments to its current BMPs to improve the stormwater quality in its own MS4. Yet, instead of providing Petitioner and the other new, co-equal Permittees time to assess the status of each of their individual MS4s, the 2012 Permit effectively provides that every city is immediately out of compliance with the Permit, unless it undertakes a Watershed Management Program ("WMP") or Enhanced Watershed Management Program ("EWMP"). In other lwords, Petitioner is arguably out of compliance on Day 1.

The 2012 Permit's RWL is also infeasible because it fails to provide Permittees with a reasonable path to compliance. As discussed above, under the Permit's current language, any exceedance could be used as a basis for third-party litigation despite a Permittee's completion of the iterative process and potentially even despite its participation in a WMP or EWMP. The 2012 Permit fails to provide Permittees the option to continue their existing BMPS, then adjusting those BMPs as needed if exceedances occur. This approach, or a similar approach, such as the strategic compliance program proposed by CASQA, can transform the current infeasible Permit into a practicable one because it provides cities with the certainty that their compliance efforts will actually constitute compliance. Providing a reasonable and feasible compliance pathway ensures that cities will be able to actually comply with the Permit, taking into account the limitations they face, and thereby meet the Clean Water Act's requirement to reduce pollutant discharges to the "maximum extent practicable."

Moreover, cities will not be able to escape their responsibilities under an iterative process, as the Environmental Petitioners contend. Cities will still be required to respond to any exceedances by evaluating their deployed BMPs and implementing new ones as necessary. The lack of reasonable regulatory certainty renders the current 2012 Permit infeasible because cities lack a way to bring themselves into compliance with its provisions. Modifying the permit to provide for compliance via an iterative process provides Cities a

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

reasonable, feasible pathway to compliance.

Cites necessarily have limited resources, and severely limited options to raise additional revenue consistent with the California constitutional limitations. Yet despite its limited resources, Petitioner has devoted a portion of its revenues to improve stormwater quality, including joining an EWMP group. Under the modified 2012 Permit as proposed by Petitioner, Petitioner would be able to spend the entirety of the funds earmarked for stormwater quality improvement to identify and implement BMPs, because it will not face the threat of third-party litigation in the event of an exceedance. Under the current 2012 Permit, however, Petitioner faces the reality that, despite its compliance efforts, a risk of third-party litigation in the event of an exceedance remains, in which case it would be forced to devote its stormwater quality management resources to litigation instead of on-the-ground improvements. Providing cities with the certainty inherent in the iterative process ensures that cities can dedicate the entirety of the funds they have available for stormwater management to actual improvements.

A. Requiring Permittees to Complete an Iterative Process Does Not Qualify as Backsliding or Degradation under the Clean Water Act

As discussed above, both federal and state law allow the LARWQCB to require permittees to comply with non-numeric effluent limitation standards to achieve compliance with the applicable water quality standards. For example, compliance can be achieved via non-numeric effluent limitation standard requiring specific BMPs as determined through an iterative process. This approach ensures that Permittees will respond to any exceedances to reduce discharges of pollutants to the maximum extent practicable.

Such an approach does not implicate federal and state prohibitions on degradation. (See 40 CFR section 131.12; State Water Board Resolution No. 68-16.) These provisions require that each new or renewed Permit maintain existing water quality, unless degradation is justifying with the appropriate findings. Imposing non-numeric effluent limitations which require compliance via an iterative process would not degrade existing

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

water quality, as Permittees would be required to maintain all existing BMPs and to adjust and improve their BMPs if an exceedance occurs. Simply put, the 2012 Permit, as written and as proposed to be modified, does not allow Petitioner, or any other Permittee, to reduce their existing stormwater management activities, and thereby will not cause any degradation in existing water quality.

The NRDC's Petition points to no evidence that the 2012 Permit has caused, or will cause, any degredation in water quality. Rather, they assume degredation without any proof of such. They have the temerity to suggest the Regional Board failed to meet its burden to provide evidence to support degredations. The SWRCB should decline the NRDC's invitation to flip the burden of proof and recognize the NRDC's argument for the unsupported sophistry that it is.

Equally unvailing is the NRD's argument regarding back-sliding. Requiring Permittees to continually adjust their implemented BMPs via an iterative process would not constitute back-sliding. See, (33 U.S.C. § 1342(o).) The Federal anti-back sliding requirement prohibits a renewed permit from imposing less stringent effluent limitations than those in the previous permit. This does not prevent a regional board imposing different, yet equally stringent effluent limitations. Imposing non-numeric effluent limitations does not weaken effluent limitations, because Permittees would still be required to comply with the underlying water quality standards in the event of any exceedances. The only change is that Permittees would be offered a reasonable and feasible path to compliance with the Permit via enforced compliance with non-numeric effluent limitations. This approach is at least as strict as the 2001 Permit.

Moreover, while Petitioner does not concede that an iterative process non-numeric effluent limitations constitutes back-sliding, to the extent such an argument is made, an exception applies. Under the Clean Water Act, a renewed permit may impose less stringent requirements if new information arises since the Regional Board issued the original permit. In this case, when the Regional Board adopted the 2001 Permit, there were no TMDLs with waste discharge load allocations to the LA County MS4. Now, the 2012 Permit incorporates

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

33 watershed-based TMDLs which have been adopted since 2001. Further, as noted above, the 2001 Permit was structured with the Flood Control District as the Principal Permittee and the cities acting in a secondary role; now the cities and the County are all equal Permittees. In light of the changes in applicable TMDLs and the complete change in the design of the Permit's regulatory scheme, modifications to the effluent limitations standard, including both providing for an iterative process and the 2012 Permit's current EWMP/WMP provisions are appropriate. Even if construed as less stringent, under this exception non-numeric effluent limitation standards are permissible Exchanging numeric for non-numeric effluent limitations recognizes the complexities of the MS4, the imperfect and often non-existent data, and that water quality improvements are attainable via appropriate BMPs, and that perfect compliance with strict numeric limits is infeasible for the LA County MS4.

In short, the Clean Water Act does not require strict compliance with numeric effluent limitations for MS4s, instead, it requires that MS4 Permittees reduce discharges of pollutants to the "maximum extent practicable." Compliance with this standard is best achieved by requiring an integrated, iterative process whereby cities continually refine and adjust their implemented BMPs.

IV. The Permit Leaves Permittees With Insufficient Time to Develop WMPs/EWMPs or to Establish Compliance with RWL

Permittees must be given time to comply with the Permit's RWL language, whether modified as Petitioner requests to require compliance via an iterative process, or else via the WMP/EWMP process. The NRDC contends that Permittees need not be given any time to comply with the 2012 Permit, even via the WMP/EWMP process. Specifically, the NRDC argues that providing Permittees a reasonable and feasible pathway to compliance, provides an illegal safe harbor. This is false.

As discussed above, the Clean Water Act allows for non-numeric effluent limitations, such as Petitioner's desired iterative process compliance requirements. Modifying the Permit to provide Permittees with sufficient time to bring their systems into

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

compliance with these provisions is thus consistent with the Clean Water Act. Moreover, Permittees require regulatory certainty and protection from impossible requirements to be able to devote resources to actual stormwater quality improvement projects, rather than litigation. If the permit is structured, as the NRDC seeks, to provide that Petitioner, and every other Permittee, is immediately out of compliance on the day the Permit is issued, then a city has little incentive to complete the iterative process and improve its BMPs, because doing so will not shield it from the risk of third-party lawsuits. If the Permit instead provides that a city is in compliance with the Permit upon issuance, but only if it begins timely implementation of the iterative process to respond to detected exceedances as Petitioner seeks, or begins timely implementation of a WMP/EWMP, then a city has an incentive to do so. Building in sufficient time to achieve compliance ensures that the Permittees will be both willing and able to devote scarce resources to stormwater quality improvements, rather than to litigation and risk management.

The time allowed for those participating in a WMP or EWMP remains inadequate. Specifically, the 2012 Permit requires those cities, such as Petitioner, electing to implement a EWMP to submit a final work plan for the program's completion within 18 months after the Permit's effective date and to submit the final EWMP a mere 12 months later, 30 months after the Permit's effective date. Once submitted, the Regional Board has four months to comment on a draft EWMP. The city or cities then have just three months to submit a revised EWMP, after which the Regional Board has three months to approve or deny the program. This timeline is too short.

Providing to submit the final work plan does not provide sufficient time for the EWMP groups to complete the necessary scoping process, identify target pollutants within the EWMP's watershed, and develop a comprehensive plan to address those pollutants and improve the watershed's stormwater quality. This is particularly true given the requirements for EWMP groups to work together across multiple jurisdictions and to receive stakeholder input, including from the public in each city, while also developing and implementing baseline modeling. The completion of these tasks by the cities in an EWMP

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

group, working together and largely in new roles given their now equal Permittee status, requires more time than 12 months.

Similarly, the Cities need more than 12 months to revise and implement their final work plan and to develop a complete EWMP. This task will require significant coordination of effort on a regional basis and will require the unprecedented development of a program to ensure onsite capture of all non-storm water runoff and all storm water runoff at the 85th percentile of a 24-hour storm. A watershed management program at this level requires an innovative storm water control measure development process to enable the cities to be able to meet this level of capture. Developing such a program requires at least 18 months after the completion of the final work plan.

V. Conclusion

For the foregoing reasons, Petitioner requests the Board review the 2012 Permit and make the amendments specified in Section VI of the Petition and reject the modifications sought via NRDC's Petition.

DATED: October 15, 2013

COLANTUONO & LEVIN, PC

HOLLY O. WHATLEY
Attorney for Petitioner
City of Sierra Madre

Colantuono & Levin, PC
300 S. GRAND AVENUE, SUITE 2700
LOS ANGELES, CA 90071-3137

PROOF OF SERVICE

In re Petitions Challenging 2012 Los Angeles Municipal Separate Storm Sewer System (MS4) Permit (Order No. R4-2012-0175)

SWRCB Files A-2236(a) through (kk)

I, Matthew Summers, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 300 S. Grand Avenue, Suite 2700, Los Angeles, California 90071. On October 15, 2013, I served the document described as PETITIONER CITY OF SIERRA MADRE'S RESPONSE TO PETITIONS CHALLENGING 2012 LOS ANGELES MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT on the interested parties in this action as follows:

By transmitting a true copy thereof of the foregoing document to the e-mail addresses set forth as stated below:

Jeannette L. Bashaw Legal Analyst
1001 I Street, 22nd Floor
Sacramento CA 95814
jbashaw@waterboards.ca.gov

Emel Wadhwani, Senior Staff Counsel
1001 I Street, 22nd Floor
Sacramento CA 95814
ewadhwani@waterboards.ca.gov

Exhibit A
Petitioners & Their Council of Record Contact List

Exhibit B
MS4 Dischargers Mailing List

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on October 15, 2013, at Los Angeles, California.

Matthew T. Summers

[Signature]

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
clee@rwglaw.com
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

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
clee@rwglaw.com
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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

[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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

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

[via U.S. Mail only]
City of Claremont
c/o Mr. Tony Ramos, City Manger
207 Harvard Avenue
Claremont, CA 91711

[via U.S. Mail only]
City of Claremont
c/o Mr. Craig Bradshaw, City Engineer
207 Harvard Avenue
Claremont, CA 91711

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

[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

[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

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

[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

[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

[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
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
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
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

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
2800 28th Street, Suite 315
Santa Monica, CA 90405
creisman@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

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

[via U.S. Mail and email]
Cary S. Reisman, Esq.
Assistant City Attorney
City of Bradbury
Wallin, Kress, Reisman & Kranitz
2800 28th Street, Suite 315
Santa Monica, CA 90405
creisman@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

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
clee@rwglaw.com
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
beth@wlv.org

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

[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
clee@rwglaw.com
abrady@rwglaw.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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.com

[via U.S. Mail and email]
City of Covina
c/o City Manager
125 East College Street
Covina, CA 91273
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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

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

[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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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]
Anthony Marinaccio, Esq.
Alvarez-Glasman & Colvin
13181 Crossroads Parkway North
West Tower, Suite 400
City of Industry, CA 91746
amarinaccio@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
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

[via U.S. Mail and email]
David D. Boyer, Esq., Special Counsel
Aleshire & Wynder, LLP
18881 Von Karman Avenue, Suite 1700
Irvine, CA 92612
dboyer@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

[via U.S. Mail and email]
City of Carson
c/o Mr. Farrokh Abolfathi, P.E.
Principal Civil Engineerr
701 E. Carson Street
Carson, CA 90745
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

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

[via U.S. Mail and email]
David D. Boyer, Esq., Special Counsel
Aleshire & Wynder, LLP
18881 Von Karman Avenue, Suite 1700
Irvine, CA 92612
dboyer@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

[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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

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

[via U.S. Mail and email]
Andrew L. Jared, Esq.
Anthony Marinaccio, Esq.
Alvarez-Glasman & Colvin
13181 Crossroads Parkway North
West Tower, Suite 400
City of Industry, CA 91746
andrew@agclawfirm.com
amarinaccio@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
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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.com

[via U.S. Mail and email]
City of Downey
c/o City Manager
11111 Brookshire Avenue
Downey, CA 90241
citymanager@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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.com

[via U.S. Mail and email]
City of Inglewood
c/o City Manager
One Manchester Boulevard
Inglewood, CA 90301
lamimoto@cityofinglewood.org
brai@cityofinglewood.org
latwell@cityofinglewood.org
jalewis@cityofinglewood.org
csaunders@cityofinglewood.org
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
Aleshire & Wynder, LLP
18881 Von Karman Avenue, Suite 1700
Irvine, CA 92612
fgalante@awattorneys.com
dboyer@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
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
Aleshire & Wynder, LLP
18881 Von Karman Avenue, Suite 1700
Irvine, CA 92612
fgalante@awattorneys.com
dboyer@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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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

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
Aleshire & Wynder, LLP
18881 Von Karman Avenue, Suite 1700
Irvine, CA 92612
daleshire@awattorneys.com
dboyer@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

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@rwglaw.com
clee@rwglaw.com
abrady@rwglaw.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]
Anthony Marinaccio, Esq.
Alvarez-Glasman & Colvin
13181 Crossroads Parkway North
West Tower, Suite 400
City of Industry, CA 91746
amarinaccio@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

[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

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

EXHIBIT B
MS4 DISCHARGERS
MAILING LIST

City of Agoura Hills
c/o Ken Berkman, City Engineer
30001 Ladyface Court
Agoura Hills, CA 91301
kberkman@agoura-hills.ca.us

City of Alhambra
c/o David Dolphin
111 South First Street
Alhambra, CA 91801-3796
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

City of Artesia
c/o Maria Dadian
Director of Public Works
18747 Clarkdale Avenue
Artesia, CA 90701-5899
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

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

City of Bell
c/o Terry Rodrigue, City Engineer
6330 Pine Avenue
Bell, CA 90201-1291
trodrigue@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

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

City of Bradbury
c/o Elroy Kiepke, City Engineer
600 Winston Avenue
Bradbury, CA 91010-1199
mkeith@cityofbradbury.org

City of Burbank
c/o Bonnie Teaford, Public Works Director
P.O. Box 6459
Burbank, CA 91510
bteaford@ci.burbank.ca.us

City of Calabasas
c/o Alex Farassati, ESM
100 Civic Center Way
Calabasas, CA 91302-3172
afarassati@cityofcalabasas.com

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

City of Cerritos
c/o Mike O'Grady, Environmental Services
P.O. Box 3130
Cerritos, CA 90703-3130
mogrady@cerritos.us

City of Claremont
c/o Craig Bradshaw, City Engineer
207 Harvard Avenue
Claremont, CA 91711-4719
cbradshaw@ci.claremont.ca.us

City of Commerce
c/o Gina Nila
2535 Commerce Way
Commerce, CA 90040-1487
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

City of Cudahy
c/o Hector Rodriguez, City Manager
P.O. Box 1007
Cudahy, CA 90201-6097
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

City of Downey
c/o Yvonne Blumberg
P.O. Box 7016
Downey, CA 90241-7016
yblumberg@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

City of Gardena
c/o Ron Jackson
Building Maintenance Supervisor
P.O. Box 47003
Gardena, CA 90247-3778
jfelix@ci.gardena.ci.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

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

City of Hawaiian Gardens
c/o Joseph Colombo
Director of Community Development
21815 Pioneer Boulevard
Hawaiian Gardens, CA 90716
jcolombo@ghcity.org

City of Hawthorne
c/o Arnold Shadbehr
Chief General Service and Public Works
4455 West 126th Street
Hawthorne, CA 90250-4482
ashadbehr@cityofhawthorne.org

City of Hermosa Beach
c/o Homayoun Behboodi
Associate Engineer
1315 Valley Drive
Hermosa Beach, CA 90254-3884
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
Senor Administrative Analyst
1 W. Manchester Boulevard, 3rd Floor
Inglewood, CA 90301-1750
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

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

City of La Habra Heights
c/o Shauna Clark, City Manager
1245 North Hacienda Boulevard
La Habra Heights, CA 90631-2570
shaunac@lhhcity.org

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

City of La Puente
c/o John DiMario
Director of Development Services
15900 East Marin Street
La Puente, CA 91744-4788
jdimario@lapuente.org

City of La Verne
c/o Daniel Keesey
Director of Public Works
3660 "D" Street
La Verne, CA 91750-3599
dkeesey@ci.la-verne.ca.us

City of Lakewood
c/o Konya Vivanti
P.O. Box 158
Lakewood, CA 90714-0158
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

City of Los Angeles
c/o Shahram Kharanghani
Program Manager
1149 S. Broadway, 10th 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

City of Manhattan Beach
c/o Brian Wright, Water Supervisor
1400 Highland Avenue
Manhattan Beach, CA 90266-4795
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

City of Montebello
c/o Cory Roberts
1600 West Beverly Boulevard
Montebello, CA 90640-3970
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
jhunter@jhla.net

City of Norwalk
c/o Chino Consunji, City Engineer
P.O. Box 1030
Norwalk, CA 90651-1030

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

City of Paramount
c/o Chris Cash, Utility and
Infrastructure Assistant Director
16400 Colorado Avenue
Paramount, CA 90723-5091
ccash@paramountcity.org

City of Pasadena
c/o Stephen Walker
P.O. Box 7115
Pasadena, CA 91109-7215
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

City of Pomona
c/o Julie Carver
Environmental Programs Coordinator
P.O. Box 660
Pomona, CA 91769-0660
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

City of Redondo Beach
c/o Mike Shay
Principal Civil Engineer
P.O. Box 270
Redondo Beach, CA 90277-0270
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

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

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

City of San Fernando
c/o Ron Ruiz
Director of Public Works
117 Macneil Street
San Fernando, CA 91340
rruiz@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
crichie@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

City of Santa Monica
c/o Neal Shapiro
Urban Runoff Coordinator
1685 Main Street
Santa Monica, CA 90401-3295
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

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

City of South Pasadena
c/o John Hunter
1414 Mission Street
South Pasadena, CA 91030-3298
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

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

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

City of Westlake Village
c/o Joe Bellomo
Stormwater Program Manager
31200 Oak Crest Drive
Westlake Village, CA 91361
jbellomo@willdan.com

City of Whittier
c/o David Mochizuki
Director of Public Works
13230 Penn Street
Whittier, CA 90602-1772
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

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