



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Agency Secretary

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

March 18, 2010

Mr. Philip Simon
Malibu Cantina LLC
101 Ygnacio Valley Road, Suite 320
Walnut Creek, CA 94596

TENTATIVE WASTE DISCHARGE REQUIREMENTS AND MONITORING AND REPORTING REQUIREMENTS FOR MALIBU CANTINA LLC, 22716 PACIFIC COAST HIGHWAY, MALIBU, CALIFORNIA (FILE NO. 09-054)

Dear Mr. Simon:

We have completed our review of your application for Waste Discharge Requirements for Wavebreak LLC. Pursuant to the California Water Code, tentative waste discharge requirements (WDRs), and a monitoring and reporting program have been prepared.

Enclosed are copies of tentative WDRs consisting of:

- a. Board Order R4-2010-XXXX specifying WDRs;
- b. Monitoring and Reporting Program (CI-XXXX); and
- c. Standard Provisions Applicable to Waste Discharge Requirements

In accordance with administrative procedures, the Regional Board (Board) will consider the enclosed tentative WDRs and comments thereon, at a public hearing to be held at 9:00 AM on May 6, 2010, at the Board Room, Metropolitan Water District of Southern California located at 700 North Alameda Street, Los Angeles, California. The Board will hear any testimony pertinent to this discharge, the tentative requirements, monitoring and reporting program and time schedule order. It is expected that the Board will take action at the hearing; however, as testimony indicates, the Board at its discretion may order further investigation.

Written comments or testimony regarding these tentative WDRs must be received at the Board's Office by 10:00 AM on April 19, 2010, in order to be evaluated by Board staff and included in the Board's agenda folder. Comments received after this date will be provided, ex agenda, to Board Members for their consideration. Failure to comply with these requirements is grounds for the Board to refuse to admit the proposed written comment or exhibit into evidence. Timely submittal of written comments is encouraged to ensure that all comments are accurately and fully included in the administrative record, that Board staff is able to provide timely review, and that Board Members have sufficient time to give full consideration to the comments and issues raised. Comments received after the requested date may result in delay in consideration of your WDRs application.

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations

Mr. Philip Simon
Malibu Cantina LLC

- 2 -

March 18, 2010

Standard Provisions, which are part of these tentative requirements, are enclosed for the addressee only. However, these are on file in the Board's Office, and a copy will be sent to anyone else upon request.

If you have any questions concerning this letter, please contact Mr. David Koo at (213) 620-6155 or me at (213) 620-6156.

Sincerely,

for *Rodney H. Nelson*
Rebecca Chou, Ph.D., P.E.
Chief of Groundwater Permitting Unit

Enclosure: Tentative WDRs

cc: Mr. Jim Thorsen, City Manager, City of Malibu
Mr. Craig George, Division Manager of Building and Safety, City of Malibu
Mr. Patrick Nejadian, Department of Health Services, Los Angeles County
Mr. Adam Arik, Los Angeles County Waterworks District No. 29, Malibu
Mr. Chi Diep, CA Public Health, Drinking Water Program
Mr. Mark Pesterella, County of Los Angeles, Department of Public Works
Mr. Carlos Borja, County of Los Angeles, Cross Connections
Ms. Tatiana Gaur, Santa Monica Baykeeper
Dr. Mark Gold, Heal the Bay
Mr. Gene A. Lucero, Latham & Watkins LLP
Mr. John Yaroslaski, Ensitu Engineering, Inc.

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations