
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 or at (213) 576-6622 or Frances McChesney at 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

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RB4 Lyris List: Storm Water – Los Angeles County MS4

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