



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

FEB 17 2016

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

Rod Foster  
City Manager  
30111 Crown Valley Parkway  
Laguna Niguel, CA 92677  
[rfoster@cityoflagunaniguel.org](mailto:rfoster@cityoflagunaniguel.org)

Nancy Palmer  
Environmental Programs Manager  
City Landscape Architect  
30111 Crown Valley Parkway  
Laguna Niguel, CA 92677  
[npalmer@cityoflagunaniguel.org](mailto:npalmer@cityoflagunaniguel.org)

Dear Mr. Foster and Ms. Palmer:

PETITION OF THE CITY OF LAGUNA NIGUEL, FOR REVIEW OF ORDER NO. R9-2015-0100, AN ORDER AMENDING ORDER NO. R9-2013-0001, NPDES NO. CAS0109266, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM THE MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s) DRAINING THE WATERSHEDS WITHIN THE SAN DIEGO REGION ISSUED BY SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD: ACKNOWLEDGMENT OF PETITION RECEIVED  
**SWRCB/OCC FILE A-2456(h)**

This will acknowledge the State Water Resources Control Board's (State Water Board's) receipt of your petition. It is important that you review the relevant dates below carefully because they identify timelines for State Water Board review of your petition, but also affect your ability to seek judicial review of the regional water quality control board's action or inaction.

Please note that, unless one of the following events occurs, this petition will be dismissed pursuant to State Water Board regulations on the 91st day following receipt of the petition. This petition will be deemed dismissed on the 91st day **unless**:

- (1) the State Water Board has notified the petitioner, the regional water quality control board, and interested persons that they have 30 days to respond to the petition;
- (2) the State Water Board has received a written request from the petitioner to hold this petition in abeyance; or
- (3) the State Water Board has notified the petitioner prior to the 91st day that the petition is dismissed.

If none of these events occurs prior to 5:00 p.m. on the last business day before the 91st day, this petition will be automatically dismissed without further action by the State Water Board. Dismissal of a petition, whether by operation of law or by a letter issued by the State Water Board, is a final agency action for purposes of seeking judicial review of the regional water quality control board's action or inaction.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

FEB 17 2016

If this petition challenges the assessment of administrative civil liability or penalties, the State Water Board must also receive written agreement from the regional water quality control board that this petition be held in abeyance prior to 5:00 p.m. on the last business day before the 91st day, or this petition will be automatically dismissed without further action by the State Water Board. (Cal. Code Regs, tit.23, § 2050, subd. (e).) Requests that petitions be held in abeyance must be sent to [waterqualitypetitions@waterboards.ca.gov](mailto:waterqualitypetitions@waterboards.ca.gov) or to the mailing address below.

For a summary of information related to your petition, please see table below:

<b>SWRCB/OCC FILE NO.</b> <i>(please use on all future correspondence)</i>	A-2456(h)
<b>PETITION RECEIVED BY SWRCB</b>	December 18, 2015
<b>91st DAY AFTER RECEIPT OF PETITION</b>	March 17, 2016
<b>PETITIONER(S)</b>	City of Laguna Niguel
<b>DISCHARGER(S)</b> <i>(if not the petitioner)</i>	Same
<b>RWQCB</b>	San Diego Regional Water Board
<b>RWQCB ACTION/INACTION BEING PETITIONED</b>	Review of Order No. R9-2015-0100, an Order Amending Order No. R9-2013-0001, NPDES No. CAS0109266, National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements For Discharges From The Municipal Separate Storm Sewer Systems (MS4s) Draining The Watersheds Within The San Diego Region
<b>STAY REQUESTED</b>	No
<b>NPDES NO.</b> <i>(if applicable)</i>	CAS0109266
<b>DATE OF ACTION OR INACTION</b>	November 18, 2015

If you did not receive an electronic copy of this correspondence and you would like to receive future correspondence from the State Water Board regarding this petition electronically, please send your email address to [waterqualitypetitions@waterboards.ca.gov](mailto:waterqualitypetitions@waterboards.ca.gov) and include our **SWRCB/OCC File A-2456(h)** in the subject line. Correspondence will also be sent in hard copy to those persons whose addresses appear on this letter. You will be notified of any further action on this petition by the State Water Board.

**IN ALL FUTURE CORRESPONDENCE, PLEASE REFER TO  
SWRCB/OCC FILE A-2456(h)**

Sincerely,



Philip G. Wyels  
Assistant Chief Counsel

cc: See next page



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

Terry E. Dixon  
City Attorney  
30111 Crown Valley Parkway  
Laguna Niguel, CA 92677  
[tdixon@cityoflagunaniguel.org](mailto:tdixon@cityoflagunaniguel.org)

Wayne Chiu **[via email only]**  
Water Resources Control Engineer  
San Diego Regional Water Quality  
Control Board  
2375 Northside Drive #100  
San Diego, CA 92108  
[Wayne.Chui@waterboards.ca.gov](mailto:Wayne.Chui@waterboards.ca.gov)

David W. Gibson **[via email only]**  
Executive Officer  
San Diego Regional Water Quality  
Control Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108  
[david.gibson@waterboards.ca.gov](mailto:david.gibson@waterboards.ca.gov)

James Smith **[via email only]**  
Assistant Executive Officer  
San Diego Regional Water Quality  
Control Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108  
[james.smith@waterboards.ca.gov](mailto:james.smith@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  
[lori.okun@waterboards.ca.gov](mailto:lori.okun@waterboards.ca.gov)

Catherine George Hagan, Esq. **[via email only]**  
Office of Chief Counsel, State Water Board  
c/o San Diego Region, Regional Water Quality  
Control Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108  
[catherine.hagan@waterboards.ca.gov](mailto:catherine.hagan@waterboards.ca.gov)

Adriana Nunez, 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  
[adriana.nunez@waterboards.ca.gov](mailto:adriana.nunez@waterboards.ca.gov)

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  
[philip.wyels@waterboards.ca.gov](mailto:philip.wyels@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)

Mr. Ken Greenberg, Chief **[via email only]**  
Clean Water Act Compliance (NPDES)  
U.S. EPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
[greenberg.ken@epa.gov](mailto:greenberg.ken@epa.gov)