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VIA E-MAIL AND U.S. MAIL

File No. 47864

June 16, 2009

Jeffery M. Ogata, Esq.
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento CA 95814

Tracy J. Egoscue
Executive Officer
Los Angeles Regional Water Quality Control Board
320 W. 4th Street, Suite 200
Los Angeles CA 90013

Re: Notice of Intent to Provide Public Notice of Hearing
Malibu La Paz Project: Application to Los Angeles Regional Water Quality
Control Board for Waste Discharge and Water Reclamation Requirements
(File No. 08-0101)

Dear Mr. Ogata and Ms. Egoscue:

Malibu La Paz Ranch, LLC (“La Paz”) hereby notifies the Los Angeles Regional Water Quality Control Board (“Board”) that it intends to provide public notice pursuant to Government Code section 65956(b) that La Paz’s Application for Waste Discharge and Water Reclamation Requirements (“Application”) will be deemed approved if the Board does not act within 60 days from the date of the public notice.

La Paz submitted its revised Application to the Board on January 8, 2008. In letters dated January 15, 2008 and February 15, 2008, the Board informed La Paz that the application was not complete. Since that time, La Paz has worked with the Board to complete the application.

On or about April 1, 2008, La Paz’s engineer, Pio Lombardo, submitted La Paz’s Waste Management Plan and materials to Elizabeth Erickson. He later submitted the California Department of Public Health’s (“CDPH”) May 30, 2008 conceptual approval of La Paz’s Title 22 System to Ms. Erickson. On June 11, 2008, the Board confirmed receipt of the additional information and informed La Paz that it would begin reviewing La Paz’s application “when La Paz’s CEQA is approved by the City [of Malibu].”

The City of Malibu certified the Environmental Impact Report (“EIR”) and approved La Paz’s project on November 10, 2008. In a letter dated December 2, 2008, La Paz submitted the City’s CEQA documentation to the Board and informed the Board that the Application was complete in light of the Board’s prior correspondence.

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La Paz did not receive any response from the Board in the 30 day period following La Paz's December 2, 2008 submittal. Accordingly, under the Permit Streamlining Act, the application was deemed to be complete as of January 1, 2009. (Gov. Code, § 65943 (b).)

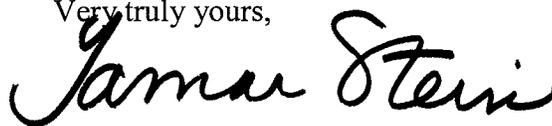
After its Application was deemed complete as a matter of law on January 2, 2009, La Paz has continued to work with staff to provide information they have requested. La Paz met with Board staff as well as representatives from the CDPH, the City of Malibu and the County of Los Angeles on April 21, 2009. Pursuant to Staff's request for additional materials following the filing of the application, Mr. Lombardo submitted a Title 22 Wastewater Engineering Report to the Board and the CDPH on May 12, 2009.

Because the application has now been deemed complete and the Board has failed to act on the application, La Paz intends to provide public notice pursuant to Government Code, section 65956 (b). Once La Paz has provided public notice, the Board will have 60 days from the date of notice or La Paz's Application will be deemed approved. (Gov. Code, § 65956 (b).)

La Paz has prepared the attached notice and project description in accordance with Section 65956 (b). La Paz intends to distribute the notice by mailing the notice to all property owners within a 1000 foot radius of the property boundaries and by publishing the notice in the Malibu Surfside News. The notice directs all interested parties to the LARWQCB for questions, comments or access to application materials. La Paz also requests that the Board post the notice on the Board's website.

La Paz requests that the Board provide it with a list of those persons with known interests in the Project, those who have requested written notice, or any other individuals or entities which need to be provided with the notice. La Paz will then mail the notice to those individuals and entities. In order to meet its obligations under Section 65956 (b), La Paz requests that the Board provide it with this list no later than June 23, 2009.

Very truly yours,



Tamar C. Stein

TCS/nmg

cc: Christi Hogin, Esq.
Gregory A. Kovacevich, Esq.
Ms. Stefanie Edmondson

Public Notice of Issuance of Water Reclamation Requirements (“WRRs”) and Waste Discharge Requirements (“WDRs”) for the Malibu La Paz Project proposed by Malibu La Paz Ranch, LLC (“La Paz”); Los Angeles Regional Water Quality Control Board (“LARWQCB”) File No. 08-0101:

The project consists of a 112,058 Sq. ft. commercial retail, restaurant and office facility and a 20,000 sq. ft. City Hall building to be located on three separate parcels of land totaling 15.29 acres in the Civic Center area of the City of Malibu; said parcels also being referred to as Los Angeles County Assessor Parcel Numbers 4458-022-023 & 4458-022-024. The project proposes to recycle and beneficially reuse all of its wastewater on-site for in-building toilet reuse and landscape irrigation in accordance with the provisions and specifications set forth in the “*Malibu La Paz Development Engineering Report for the Production, Distribution & Use of Title 22 Disinfected Tertiary Recycled Water,*” dated May 6, 2009 as prepared by Lombardo Associates, Inc.. The applicant, La Paz, has filed a Report of Waste Discharge Application with the LARWQCB for Water Reclamation Requirements (“WRRs”) and Waste Discharge Requirements (“WDRs”) for the project.

This public notice is being provided by the applicant for the project in accordance with Government Code section 65956 (b) because the LARWQCB has failed to provide a hearing within the time required by the Permit Streamlining Act. Pursuant to Government Code section 65956 (b), *the WRRs/WDRs referenced herein shall be deemed approved if the LARWQCB has not acted by Monday, August 24, 2009, 60 days after this notice was provided.*

Members of the public who wish to learn more about the project should contact the LARWQCB. Please contact either LARWQCB Staff Member Elizabeth Erickson at (213) 620-2264 or Rebecca Chou at (213) 620-6156. Copies of all project plans, reports, correspondence and other relevant documentation may also be obtained directly from the LARWQCB, located at 320 West Fourth Street, Suite 200, Los Angeles, CA 90013 (213) 576-6600 (phone) or (213) 576-6640 (fax); http://www.swrcb.ca.gov/losangeles/about_us/contact_us/.