



# California Regional Water Quality Control Board

## Los Angeles Region



Linda S. Adams  
Cal/EPA Secretary

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

VIA E-MAIL AND U.S. MAIL

June 23, 2009

Ms. Tamar C. Stein  
Cox, Castle & Nicholson LLP  
2049 Century Park East, 28<sup>th</sup> Floor  
Los Angeles, CA 90067-3284

**RE: Response to June 16, 2009 Letter Regarding Notice of Intent of Provide Public Notice of Hearing in the Malibu La Paz Application**

Dear Ms. Stein:

The Los Angeles Regional Water Quality Control Board strongly disagrees with your conclusion that Malibu La Paz Ranch's application for waste discharge and water reclamation requirements is complete. As a consequence, the Los Angeles Regional Water Quality Control Board hereby rejects your notice that La Paz intends to provide public notice pursuant to Government Code section 65956(b).

In a letter dated March 11, 2009 to Mr. Stanley Lampert of your office, Senior Staff Counsel Jeffery Ogata set forth the facts upon which we base our disagreement with La Paz that the application was deemed "complete" by the Regional Board and/or by operation of law. We continue to believe that La Paz has not completely responded to our requests for information that would allow us to conclude that La Paz's application is "complete". A copy of the letter is attached for your information.

Further, we are informed and believe that the Coastal Commission has not yet approved the La Paz project. There is adequate time for the Regional Board to consider and prepare complete waste discharge requirements without causing harm to La Paz. Given the current resource limitations at the Regional Board, we intend to be prepared to place the permit application on the agenda of the February 2010 board meeting.

Finally, pursuant to Government Code section 65943, subdivision (a), the application must contain a statement that "it is an application for a development permit" in order to meet the requirements of the Permit Streamlining Act. In reviewing La Paz's report of waste discharge,

*California Environmental Protection Agency*



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

Ms. Tamar C. Stein  
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there is no statement that the application was for a development permit and therefore La Paz cannot assert that its application is complete pursuant to this section.

Pursuant to Government Code section 65956.5, you have a right to submit an appeal in writing prior to providing advance notice to the intent to provide public notice.

We are not providing a list of interested persons as you requested as those individuals may have privacy concerns about having a third party use the Regional Board's lists, and because we reject your notice of intent to provide a public hearing in this matter.

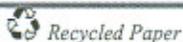
Sincerely,



Tracy J. Egoscue  
Executive Officer

Enclosure:

***California Environmental Protection Agency***



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