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8 UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DISTRICT OF CALIFORNIA  
9 WESTERN DIVISION

10 UNITED STATES OF AMERICA and  
PEOPLE OF THE STATE OF  
11 CALIFORNIA *ex rel.* CALIFORNIA  
REGIONAL WATER QUALITY  
12 CONTROL BOARD, LOS ANGELES  
REGION,

13 Plaintiffs,

14 v.

15 CITY OF LOS ANGELES,

16 Defendant.

17 SANTA MONICA BAYKEEPER, a  
non-profit corporation;  
18 TERRY TAMMINEN, an individual

19 Plaintiffs,

20 v.

21 THE CITY OF LOS ANGELES,

22 Defendant.

Civil Action No. 01-191-RSWL  
Civil Action No. 98-9039-RSWL  
CONSOLIDATED

NOTICE OF LODGING OF  
THIRD MODIFICATION TO  
SETTLEMENT AGREEMENT  
AND FINAL ORDER AND  
REQUEST THAT COURT  
TAKE NO ACTION AT THIS  
TIME

23  
24 Plaintiff, the United States of America, hereby notifies the Court and all  
25 parties of record that the parties to these consolidated actions have entered into a  
26 proposed Third Modification to the Settlement Agreement and Final Order entered  
27 by this Court on October 28, 2004.

28 Final approval of the Third Modification to the Settlement Agreement by the  
United States and the State of California *ex rel.* California Regional Water Quality

1 Control Board, Los Angeles Region (“Regional Board”), however, is contingent  
2 upon the review of public comment. Pursuant to the regulations at 28 C.F.R. §  
3 50.7, the public will have thirty (30) days in which to submit comments to the  
4 United States on the Third Modification to Settlement Agreement. The 30-day  
5 period will begin on the date that notice of the lodging of the Third Modification to  
6 the Settlement Agreement is published in the Federal Register.

7 After the public comment period has expired, the United States will inform  
8 the Court of any public comments received. If, after reviewing the public  
9 comment, the United States and the Regional Board conclude that the Third  
10 Modification to the Settlement Agreement should be entered, the United States will  
11 seek its entry as a final order of the Court.

12 Because of the public comment period, **we respectfully request that the**  
13 **Court not execute the Third Modification to the Settlement Agreement at this**  
14 **time.** During the public comment period, no action is required or requested of the  
15 Court.

16  
17 Respectfully submitted,

18  
19 Dated: July 23, 2013

20 ELLEN M. MAHAN  
21 Deputy Section Chief  
22 Environmental Enforcement Section  
23 Environment and Natural Resources Division  
24 United States Department of Justice

25 s/ Lori Jonas  
26 LORI JONAS, Senior Attorney  
27 Environmental Enforcement Section  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of July, 2013, I caused the foregoing  
NOTICE OF LODGING OF THIRD MODIFICATION TO SETTLEMENT  
AGREEMENT AND FINAL ORDER AND REQUEST THAT COURT TAKE  
NO ACTION AT THIS TIME to be filed with the Clerk of the Court using the  
Court's CM/ECF electronic filing system which will send notice of said filing to  
counsel of record for all parties.

s/ Lori Jonas \_\_\_\_\_  
LORI JONAS

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