



CITY OF SANTA MARIA  
UTILITIES DEPARTMENT  
Business Services • Regulatory Compliance  
Solid Waste Services • Water Resources

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August 15, 2013

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**SUBJECT: SWRCB/OCC FILE A-2236(a) THROUGH (kk)**

Dear Ms. Wadhvani:

The City of Santa Maria ("City" or "Santa Maria") is pleased to submit these comments on the two questions posed by the State Water Resources Control Board ("State Board") in the State Board's 30-day response letter dated July 8, 2013 involving the above-referenced petitions of the Los Angeles County MS4 Permit ("LA Permit"). The answers to the State Board's two questions and the broader state-wide issues related to the State Board's current receiving water limitations ("RWL") language are of vital importance to the City. The City is happy to see the State Board ask these questions. It looks forward to the early fall State Board workshop on the topic, and urges the State Board to make meaningful revisions to the current RWL language. Revisions to the current RWL language are particularly important in light of the 9th Circuit Court of Appeals' decision issued August 8, 2013<sup>1</sup>, which is more fully discussed below.

**I. Why the Current RWL Language is a Concern to Santa Maria**

Santa Maria is located in Santa Barbara County, along California's Central Coast. With a population of more than 100,000 residents and a land area of 23 square miles, Santa Maria is the largest city by both population and geographical area in Santa Barbara County. Although large in population and land area, Santa Maria faces many financial challenges that it must carefully manage to continue to provide essential governmental services and help maintain the quality of life of its residents, many of whom face their own serious financial challenges. In fact, approximately 60 percent of Santa Maria's population is at or below 80 percent of the County's median household income.

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<sup>1</sup> *Natural Resources Defense Council v. County of Los Angeles* (9th Cir. August 8, 2013) \_\_\_\_ F.3d \_\_\_\_ [Dock. No. 10-56017].

The financial realities facing Santa Maria and its residents require the City to make difficult spending choices to continue funding all essential governmental services, including, among other things, water quality improvement programs. The current RWL language, as interpreted by the 9th Circuit Court of Appeals<sup>2</sup>, upsets the City's careful balancing of its limited resources by forcing the City to chase all pollutants, at all times, in all receiving waters, regardless of the relative water quality benefits of such efforts. This is not good policy, either from a fiscal or from a water quality perspective.

Santa Maria is also presented with unique water quality challenges that the current RWL language makes difficult to solve. Specifically, three man-made flood control channels<sup>3</sup> cut through the City. These channels were constructed in the 1960s in areas where no previous water bodies existed. These channels are fully or partially concrete, and are not open to the public. They were constructed for the specific purpose of flood control; no historic relic water courses or Waters of the United States were involved in their designs. In both wet and dry weather, they receive heavy agricultural tail flows from farm fields surrounding the City. They were not designed for this purpose, but are the recipient of the agricultural runoff due to gravity flow.

Nevertheless, the Basin Plan for the Central Coast Region applies to these man-made channels, by default, certain beneficial uses and stringent water quality objectives, designed to protect uses of natural water bodies. These default beneficial uses and accompanying water quality objectives, when coupled with the current interpretation of the State Board's RWL language, inhibit the City's ability to implement collaborative and regional solutions to water quality problems in the Santa Maria watershed. The current language, which imposes strict liability for "contributing" to an exceedance of any applicable Basin Plan water quality objective, forces the City to pursue a narrower, jurisdictional approach to water quality management, rather than a more comprehensive watershed approach, an approach which is commonly recognized as achieving superior water quality (and possibly water supply) results.<sup>4</sup>

A specific example may help illustrate this point. Because the three channels that flow through the City receive most of their water from agricultural runoff, they each currently fail to meet the Basin Plan's water quality objectives for nutrients.<sup>5</sup> For this reason, the Central Coast Regional Board has developed a total maximum daily load ("TMDL") for nutrients, and has developed numeric wasteload allocations for the City, to be achieved over a period of 12 to 30 years. It is believed the Central Coast Regional Board, working with the State Board, will eventually incorporate these wasteload allocations into the City's water quality-based

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<sup>2</sup> *Natural Resources Defense Council v. County of Los Angeles* (9th Cir. 2011) 673 F.3d 880, *rev'd on other grounds* by 133 S.Ct. 710 (2013).

<sup>3</sup> The Bradley Channel, the Blosser Channel and the Main Street Canal.

<sup>4</sup> This problem has been made worse by the 9th Circuit's August 8, 2013 decision. That decision appears to suggest that dischargers may be held jointly liable for receiving water exceedances, even without specific evidence that the individual discharger actually discharged the pollutants causing or contributing to the exceedance. To avoid such liability without evidence, dischargers will be compelled to turn inward and focus only on their discharges.

<sup>5</sup> Specifically, nitrate and unionized ammonia.

effluent limitation requirements under State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ ("Phase II Permit").

The problem with the current RWL language is that, regardless of the timeframes in the TMDL, the City could be held strictly liable for "contributing" nutrients into these three channels now, even though the Regional Board acknowledges the City is not a major source of the nutrient problem<sup>6</sup>, and even though nutrient reduction from the City will not solve the problem. The 9th Circuit's August 8, 2013 decision appears to compound this already difficult situation, by suggesting the City might be liable for the quality of the water in the channel, even without evidence the City discharged nutrients at all. This approach simply cannot be reconciled with the requirements of the Clean Water Act and undermines effective water quality solutions.

What is needed to address the nutrient problem is a collaborative, watershed approach which concurrently seeks to reduce nutrient loading and implements viable, regional treatment options. The current RWL language inhibits such an approach.

The City is currently considering the development of a regional treatment approach in the Bradley Channel ("Channel"). Under this approach, the City would install an agricultural tailwater de-nitrification system for the treatment of the commingled flows within the Channel. The proposed project would divert polluted water from the Channel into a woodchip-based de-nitrification system which has been demonstrated to have a potential nitrate removal rate in excess of 90 percent. The water discharged from the treatment system would, it is believed, meet or significantly exceed Basin Plan requirements.

However, under the current RWL language, the City is presented with a difficult choice – divert scarce resources to this type of a regional treatment solution or focus more narrowly on its own, minimal nutrient discharges to best comply with current RWL requirements. Although the regional treatment approach would result in the most meaningful water quality benefits, implementing that approach would not place the City in a position of compliance under the current RWL language because discharges from the City would likely contribute (or might be presumed to contribute) at least some nutrients to the already-polluted Channel upstream of the treatment system. It is difficult for elected officials charged with the prudent care of the City's fiscal condition to spend scarce resources on such a project without any offsetting compliance benefits to the City. From the City's perspective, therefore, the current RWL language presents real challenges and drives decisions that inhibit the achievement of superior water quality results.

## **II. Why the Receiving Water Limitations Language Can and Should be Revised**

The current RWL language thus presents both fiscal and water quality challenges for the City. Revising the RWL language could alleviate the fiscal challenges by allowing the City to focus its resources on the highest water quality benefits. It would also empower the City to tackle its water quality challenges through collaborative, regional approaches. Of course, the City must still be held accountable through specific, enforceable requirements. The City is

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<sup>6</sup> See Central Coast Resolution No. R3-2013-0013, noting that "Urban storm water is a relatively minor source of nitrogen compounds and orthophosphate."

not looking for a free pass. Rather, the State Board should use this opportunity to make meaningful revisions to the RWL language that continue to hold dischargers accountable for their actions but also allows for a broader, more integrated approach to solving water quality problems.

The State Board has the power to make such changes, and should do so through a state-wide precedential order. The legal support for the revisions to the RWL language is briefly set forth below.

#### **A. Initial Development of the RWL Language**

The current RWL language was originally developed based on what courts have subsequently made clear was a misunderstanding of the requirements of the Clean Water Act. In 1991, the State Board concluded that Section 402(p)(3)(B) of the Act required that MS4 permits contain effluent limitations based on water quality standards in accordance with Section 301 of the Act.<sup>7</sup> The State Board reasoned that Section 402(p)(3)(B) of the Act was ambiguous as to whether Section 301 applied to MS4 permits. In light of this perceived ambiguity, the State Board deferred to EPA's interpretation of Section 402(p)(3)(B). As interpreted by EPA, Section 402(p)(3)(B) only modified the technology-based requirements of Section 301, and left in place the water quality-based requirements of Section 301, even if those requirements were more stringent than the maximum extent practicable ("MEP") standard. The State Board thus concluded that MS4 permits had to contain water quality-based effluent limitations pursuant to Section 301.

Subsequent State Board decisions expressly confirmed the State Board intended the RWL language to implement the requirement of Section 301(b)(1)(C) to include more stringent effluent limitations necessary to meet water quality standards.<sup>8</sup> Based on this misinterpretation of the Act, the State Board promulgated "the strongest and clearest possible language to protect water quality." In 1999, the State Board refined its approach and issued the RWL language that currently applies to all MS4 permits.<sup>9</sup>

The confusion about whether Section 301 applied to Section 402(p)(3)(B) was understandable prior to 1999 because no precedential legal decision had yet addressed the question. In 1999, however, the 9th Circuit Court of Appeals unequivocally resolved this question.<sup>10</sup> The 9th Circuit held that Section 402(p)(3)(B) was unambiguous and completely replaced the requirements of Section 301 for MS4 permits. Therefore, neither the technology-based nor water quality-based requirements of Section 301 applied to MS4 permits. Because Section 402(p)(3)(B) was unambiguous, no deference to EPA's interpretation was required or permitted. Congress had spoken and its decision governed. The 9th Circuit thus held that MS4 permits issued under Section 402(p)(3)(B) did not need to include water quality-based effluent limitations that mandated strict compliance with water quality standards. In other words, the legal premise on which the State Board's RWL language was based was wrong.

<sup>7</sup> State Board Order No. WQ 91-03.

<sup>8</sup> State Board Order No. WQ 98-01.

<sup>9</sup> State Board Order No. 99-05.

<sup>10</sup> *Defenders of Wildlife v. Browner* (9th Cir. 1999) 191 F.3d 1159.

## B. Clarification in the State Board's 2001 BIA Order

In 2001, the State Board had the opportunity to clarify its RWL language in light of the 9th Circuit's decision in *Browner*.<sup>11</sup> As the State Board acknowledged, it had not previously addressed the implications of *Browner* and the holding that MS4 permits did not need to require strict compliance with water quality standards. The State Board then properly interpreted its RWL language in a manner consistent with *Browner* and found that the language "does not require strict compliance with water quality standards." Rather, compliance with water quality standards "is to be achieved over time, through an iterative approach requiring improved BMPs."

The State Board declined to eliminate, as it could have done under *Browner*, the need to address water quality standards at all in MS4 permits in California. The State Board found that a technology-based standard alone would ignore the impacts urban runoff was having on receiving waters. The State Board thus pursued a middle course in which strict compliance with water quality standards would generally not be required, but where water quality standards would still be addressed through an iterative approach, which seeks compliance over time. This approach, the State Board found, "is protective of water quality, but at the same time considers the difficulties of achieving full compliance through BMPs that must be enforced throughout large and medium municipal storm sewer systems."

The State Board's 2001 precedential interpretation of the RWL language remains the State Board's last precedential order on the subject. Had the iterative approach as articulated by the State Board in 2001 been uniformly applied, many of the City's current concerns would have been ameliorated. Such an iterative approach establishes a high bar—the ultimate achievement of water quality standards—but also recognizes the difficulties faced by MS4s in achieving those standards because of the open nature of MS4 systems, significant variability in rainfall, and technical and financial feasibility.

Unfortunately, not all the Regional Boards, nor the courts and third parties, applied this language uniformly. Ultimately, the RWL language was interpreted based on the original misapplication of Section 301 to MS4 permits, and was applied to require strict compliance with water quality standards, as most recently reflected in the 9th Circuit's 2011 and 2013 decisions involving the 2001 LA permit.

## C. The NRDC Case

The 9th Circuit in 2011 issued an opinion, subsequently reversed on other grounds, that interprets the State Board's RWL language to require strict compliance with water quality standards, uncoupled from the iterative process as expressed in the State Board's 2001 decision.<sup>12</sup> The 9th Circuit's opinion appears to turn the State Board's 2001 precedential decision on its head. Rather than finding the iterative process to be an integral part of the State's effort to achieve compliance with water quality standards over time through improved

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<sup>11</sup> State Board Order No. 2001-15.

<sup>12</sup> *Natural Resources Defense Council v. County of Los Angeles* (9th Cir. 2011), *rev'd on other grounds* by 133 S.Ct. 710 (2013).

BMPs, the 9th Circuit held that strict compliance with water quality standards was required and subject to independent enforcement separate from the iterative process.

The 9th Circuit's decision appears rooted in the same misunderstanding of Section 402(p)(3)(B) and Section 301 of the Act that existed at the time of the original development of the RWL language. For example, the 9th Circuit noted that "[o]nly by enforcing the water-quality standards themselves as the limits could the purpose of the CWA and the NPDES system be effectuated." The 9th Circuit rejected the notion (which, of course, it previously had supported in *Browner*) that Section 402(p)(3)(B) was a "lesser standard." The 9th Circuit reasoned that "Defendants' position that they are subject to a less rigorous or unenforceable regulatory scheme for their storm-water discharges cannot be reconciled with the significant legislative history showing Congress's intent to bring MS4 operators under the NPDES-permitting system."

Although the 9th Circuit's decision was reversed by the United States Supreme Court on other grounds, its interpretation of the RWL language was not addressed by the Supreme Court. The 9th Circuit's decision can thus be interpreted as a fundamental shift away from the State Board's approach in its 2001 precedential order. To make matters worse, the 9th Circuit on August 8, 2013, on remand from the Supreme Court, reconsidered its previous opinion and again held the Los Angeles Flood Control District liable for the quality of the receiving water, even though there was no evidence of a discharge of the standard exceeding pollutants from the Flood Control District's MS4.<sup>13</sup> The 9th Circuit's new decision emphasizes even more the need for RWL reform because it appears to hold permittees liable for the quality of receiving waters absent any evidence of an individual contribution to the problem.

The City acknowledges that some at the State Board and various Regional Boards may believe that the 9th Circuit's decisions are consistent with the current RWL language and do not reflect a change in approach. However, this position appears hard to reconcile with an objective comparison of the statements in the State Board's 2001 precedential order (in which the State Board stated that its RWL language does not require strict compliance with water quality standards) with the 9th Circuit's decisions (in which the Court held that the RWL language requires strict compliance with water quality standards, apparently even absent evidence of an individual discharge).

#### **D. The Current Situation and the State Board's Authority to Revise the RWL Language**

The 9th Circuit's decisions have resulted in significant concerns from municipal dischargers, who have requested the State Board address the issue through a reconsideration of its current RWL language. The issue has been raised directly with the State Board in connection with the Caltrans Permit and Phase II Permit. The crucial policy issue raised in

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<sup>13</sup> In its 2011 opinion, the 9th Circuit had rejected the contention that the mass-emissions monitoring station data conclusively established the Flood Control District's liability. The 9th Circuit held that there must be some additional proof of the Flood Control District's individual contribution to the water quality exceedance. However, on August 8, 2013, they reconsidered this argument and held that the monitoring data only established liability, even absent evidence of the District's individual contribution.

connection with the LA Permit and San Diego Regional Permit, both of which are subject to pending petitions to the State Board. Resolution of the RWL language issue by the State Board, is the most important pending MS4 policy question.

Some have asserted the State Board lacks the legal authority to consider changes to its current RWL language. The City believes that the State Board has discretion on the question and that neither the anti-backsliding nor the anti-degradation provisions of the Act or state law preclude the State Board from addressing the RWL language, as briefly explained below.

### 1. Anti-Backsliding

Some have asserted that the anti-backsliding provisions of the Act and federal regulations preclude any changes to the RWL language. A careful reading of the Act and the regulations demonstrate otherwise.

Section 402(o) of the Act provides that for specific effluent limitations established on the basis of specific sections of the Act, a permit may not be renewed or reissued that contains effluent limitations which are less stringent than the comparable effluent limitations in the previous permit. There are several reasons why Section 402(o) has no application to the RWL language.

First, the RWL language is not an "effluent limitation" as defined in the Act. An "effluent limitation" is "any restriction established by a State or the Administrator on quantities, rates, and concentrations of chemical, physical, biological, and other constituents *which are discharged from point sources* into navigable waters, the waters of the contiguous zone, or the ocean, including schedules of compliance."<sup>14</sup> An "effluent limitation" is thus a limit measured at the point of discharge from a point source. In contrast, the RWL language measures compliance in the receiving water.

Second, even if the RWL language could be characterized as an "effluent limitation," it is not (and could not be) developed in accordance with the specific sections listed in Section 402(o). It is not a technology-based effluent limitation established based on best professional judgment in accordance with Section 402(a)(1)(B). Rather, it derives its legal authority from Section 402(p)(3)(B). Moreover, as *Browner* makes clear, the RWL language is not (and could not be) a technology-based or water-quality based effluent limitation established on the basis of Section 301(b)(1)(c) because Section 301 has no application to MS4 permits. Finally, the RWL language is not an effluent limitation developed under Section 303(d) or (e), which involve the continuing planning process and TMDLs. The RWL language is, at its core, an exercise of discretion under the "such other provisions" language of Section 402(p)(3)(B)(iii) and is not subject to Section 402(o).

The federal regulations also contain anti-backsliding provisions.<sup>15</sup> These regulations must be addressed in NPDES permits "when applicable." Due to the unique nature of MS4s and the special standards Congress created in Section 402(p)(3)(B) for such systems, these

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<sup>14</sup> 33 U.S.C. §502(11)(Emphasis added).

<sup>15</sup> 40 CFR § 122.44(l).

regulations are not "applicable" to MS4 permits. The regulations provide that "interim effluent limitations, standards or conditions" of renewed or reissued permits must be at least as stringent as the final effluent limitations, standards or conditions in the previous permit. For the same reasons as discussed above regarding Section 402(o), these regulations do not apply to MS4 permits. It is commonly recognized that these regulations do not govern requirements based on state water quality standards.<sup>16</sup> Because the RWL language is, at its core, intended to protect state water quality standards, these regulations have no application to the RWL language.

## **2. Anti-Degradation**

EPA's regulations require each state develop and adopt a statewide anti-degradation policy and identify the methods for implementing such policy.<sup>17</sup> California adopted its anti-degradation policy in 1968.<sup>18</sup> The State Board has issued guidance on its policy through Administrative Procedures Update ("APU") 90-004.

As APU 90-004 makes clear, the State's anti-degradation policy does not apply when a discharge "will not be adverse to the intent and purpose of the state and federal anti-degradation policies." Likewise, APU 90-004 provides that if there is "no reason to believe that existing water quality will be reduced due to the proposed action, no anti-degradation analysis is required." As noted above, revisions to the RWL language will allow MS4s throughout the State to better address water quality problems and will lead to better water quality outcomes. Thus, there is no reason to believe that revisions to the RWL language will reduce existing water quality. Therefore, the anti-degradation policy does not apply.

This analysis is consistent with recent case law regarding anti-degradation. In a recent case, the court acknowledged the anti-degradation policy might not apply if it can be shown that the discharge of waste will not degrade the quality of the receiving water.<sup>19</sup> To support such a conclusion, a water board must ensure the regulatory action includes sufficient requirements, including an effective monitoring program, to demonstrate the discharge will not degrade the quality of the receiving water. MS4 permits contain such requirements, including an effective monitoring program. Therefore, the anti-degradation provisions do not apply.

## **III. Responses to Two Questions**

With the above legal framework in mind, the City has the following responses to the two questions posed by the State Board. In the City's view, the RWL language must be amended to include a compliance program option that includes the following key elements: it must be voluntary; it must allow either a watershed or jurisdictional approach; it must be based on best management practices; it must allow for prioritization of pollutant-water body combinations; it must permit adaptive management; and it must provide that good faith

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<sup>16</sup> See, e.g., NPDES Permit Writers' Manual, page 7-4.

<sup>17</sup> 40 CFR 131.12.

<sup>18</sup> State Board Resolution No. 68-16.

<sup>19</sup> *Asociacion De Gente Unida Por El Agua v. Central Valley Regional Water Quality Control Board* (2012) 210 Cal.App.4th 1255.



compliance with the program constitutes compliance with receiving water limitations and discharge prohibitions. The City's answers below are based on these key elements.

**A. General Support for Compliance Approach in the LA Permit**

The City generally supports the LA Permit's compliance approach as a good first step toward revising the RWL language. The approach is properly an optional one that allows permittees to decide whether the current language or a different approach works best for the City. It also contains sufficient rigor to provide measurable and enforceable requirements that permittees must meet. Most importantly, it provides for two different watershed or jurisdictional compliance paths that all permittees may implement. Although somewhat cumbersome, the City views the LA approach as a good first step and commends the Regional Board for its attempt to address the RWL issue. To fully address the issue, however, additional language rooted in the iterative process is required.

**B. Support for CASQA's Improvements to the LA Permit's Approach**

Although the City views the LA Permit's approach as a good first step, the City believes the language requires further refinement. The City supports the RWL language put forward by California Stormwater Quality Association ("CASQA") in its response to the State Board's two questions as an additional step toward true RWL reform. CASQA's refinements to the LA Permit's approach make the compliance program process more usable and comprehensive.

The City notes that, for Phase II programs, the CASQA approach will require further modification to fit it within the Phase II permit. Moreover, the State Board should additionally consider including in the revised RWL language a mechanism to address those situations where, despite good faith efforts, achievement of water quality standards, including interim and final wasteload allocations/effluent limitations, proves to be currently infeasible. Building such a mechanism into the RWL compliance process now will avoid future disputes and establish a comprehensive structure through which the State and Regional Boards can work collaboratively with MS4s to achieve water quality standards.

**IV. Conclusion**

The City appreciates the opportunity to provide these comments to the State Board and looks forward to the State Board workshop on the topic. It urges the State Board to use this opportunity to make meaningful revisions to the RWL language.

Very truly yours,



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August 13, 2013  
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**SWRCB/OCC FILE NOS. A-2236(a) through (kk)  
 PETITIONERS AND THEIR COUNSEL OF RECORD CONTACT LIST  
 EXHIBIT A**

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<p><b><u>City of Westlake Village (A-2236(p)):</u></b></p> <p>[via U.S. Mail and email]  Lisa Bond, Esq.  Candice K. Lee, Esq.  Andrew J. Brady, Esq.  Richards, Watson &amp; Gershon  355 South Grand Avenue, 40th Floor  Los Angeles, CA 90071  <b><u>lbond@rwqlaw.com</u></b>  <b><u>clee@rwqlaw.com</u></b>  <b><u>abrady@rwqlaw.com</u></b></p>	<p><b><u>City of Signal Hill (A-2236(l)):</u></b></p> <p>[via U.S. Mail and email]  David J. Aleshire, Esq., City Attorney  David D. Boyer, Esq., Special Counsel  Wesley A. Miliband, Esq., Special Counsel  Aleshire &amp; Wynder, LLP  18881 Von Karman Avenue, Suite 1700  Irvine, CA 92612  <b><u>daleshire@awattorneys.com</u></b>  <b><u>dboyer@awattorneys.com</u></b>  <b><u>wmiliband@awattorneys.com</u></b></p>
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<p><b><u>City of La Mirada (A-2236 (a)):</u></b></p> <p>[via U.S. mail and email]  Lisa Bond, Esq.  Candice K. Lee, Esq.  Andrew J. Brady, Esq.  Richards, Watson &amp; Gershon  355 South Grand Avenue, 40th Floor  Los Angeles, CA 90071  <b><u>lbond@rwqlaw.com</u></b>  <b><u>clee@rwqlaw.com</u></b>  <b><u>abrady@rwqlaw.com</u></b></p>	<p><b><u>City of Redondo Beach (A-2236(l)):</u></b></p> <p>[via U.S. Mail and email]  Lisa Bond, Esq.  Candice K. Lee, Esq.  Andrew J. Brady, Esq.  Richards, Watson &amp; Gershon  355 South Grand Avenue, 40th Floor  Los Angeles, CA 90071  <b><u>lbond@rwqlaw.com</u></b>  <b><u>clee@rwqlaw.com</u></b>  <b><u>abrady@rwqlaw.com</u></b></p>
<p>[via U.S. Mail and email]  City of La Mirada  c/o City Manager  13700 La Mirada Boulevard  La Mirada, CA 90638  <b><u>citycontact@cityoflamirada.org</u></b></p>	<p>[via U.S. Mail only]  City of Redondo Beach  c/o Mr. Bill Workman, City Manager  415 Diamond Street  Redondo Beach, CA 90277</p>
<p><b><u>City of Manhattan Beach (A-2238(r)):</u></b></p> <p>[via U.S. Mail and email]  Lisa Bond, Esq.  Candice K. Lee, Esq.  Andrew J. Brady, Esq.  Richards, Watson &amp; Gershon  355 South Grand Avenue, 40th Floor  Los Angeles, CA 90071  <b><u>lbond@rwqlaw.com</u></b>  <b><u>clee@rwqlaw.com</u></b>  <b><u>abrady@rwqlaw.com</u></b></p>	<p><b><u>City of West Covina (A-2236(kk)):</u></b></p> <p>[via U.S. Mail and email]  Anthony Marinaccio, Esq.  Alvarez-Glasman &amp; Colvin  13181 Crossroads Parkway North  West Tower, Suite 400  City of Industry, CA 91746  <b><u>amarinaccio@agclawfirm.com</u></b></p>

<p>[via U.S. Mail and email]  City of Manhattan Beach  c/o City Manager  1400 Highland Avenue  Manhattan Beach, CA 90266  <a href="mailto:cm@citymb.info">cm@citymb.info</a></p>	<p>[via U.S. Mail and email]  City of West Covina  c/o Mr. Andrew Pasmant, City Manager  1444 West Garvey Avenue, Room 305  West Covina, CA 91790  <a href="mailto:andrew.pasmant@westcovina.org">andrew.pasmant@westcovina.org</a></p>
<p><b><u>City of Covina [A-2236 (s)]:</u></b></p> <p>[via U.S. Mail and email]  Lisa Bond, Esq.  Candice K. Lee, Esq.  Andrew J. Brady, Esq.  Richards, Watson &amp; Gershon  355 South Grand Avenue, 40th Floor  Los Angeles, CA 90071  <a href="mailto:lbond@rwglaw.com">lbond@rwglaw.com</a>  <a href="mailto:clea@rwglaw.com">clea@rwglaw.com</a>  <a href="mailto:abrady@rwglaw.com">abrady@rwglaw.com</a></p>	<p>[via U.S. Mail and email]  City of West Covina  c/o Ms. Shannon Yauchzee  Director of Public Works  1444 West Garvey Avenue  West Covina, CA 91790  <a href="mailto:shannon.yauchzee@westcovina.org">shannon.yauchzee@westcovina.org</a></p>
<p>[via U.S. Mail and email]  City of Covina  c/o City Manager  125 East College Street  Covina, CA 91273  <a href="mailto:vcastro@covinaca.gov">vcastro@covinaca.gov</a></p>	<p><b>Additional Interested Party By Request:</b></p> <p>[via U.S. Mail only]  Andrew R. Henderson, Esq. General Counsel  Building Industry Legal Defense Foundation  17744 Sky Park Circle, Suite 170  Irvine, CA 92614  <a href="mailto:ahenderson@biasec.org">ahenderson@biasec.org</a></p>
<p><b><u>City of Vernon [A-2236(t)]:</u></b></p> <p>[via U.S. Mail and email]  Lisa Bond, Esq.  Candice K. Lee, Esq.  Andrew J. Brady, Esq.  Richards, Watson &amp; Gershon  355 South Grand Avenue, 40th Floor  Los Angeles, CA 90071  <a href="mailto:lbond@rwglaw.com">lbond@rwglaw.com</a>  <a href="mailto:clea@rwglaw.com">clea@rwglaw.com</a>  <a href="mailto:abrady@rwglaw.com">abrady@rwglaw.com</a></p>	
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City of Industry  
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