



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Office of Chief Counsel

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Received
July 19, 2010
Commission on
State Mandates
Arnold Schwarzenegger
Governor

July 19, 2010

Ms. Nancy Patton, Assistant Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Dear Ms. Patton:

PROPOSED PARAMETERS AND GUIDELINES

DISCHARGE OF STORMWATER RUNOFF, 07-TC-09
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
ORDER NO. R9-2007-001, (NPDES NO. CAS0108758) WASTE DISCHARGE
REQUIREMENTS FOR DISCHARGES OF URBAN RUNOFF FROM THE MUNICIPAL
SEPARATE STORM SEWER SYSTEMS (MS4S) DRAINING THE WATERSHEDS OF THE
COUNTY OF SAN DIEGO, THE INCORPORATED CITIES OF SAN DIEGO COUNTY, THE
SAN DIEGO UNIFIED PORT DISTRICT, AND THE SAN DIEGO COUNTY REGIONAL
AIRPORT AUTHORITY, ADOPTED ON JANUARY 24, 2007

REQUEST FOR EXTENSION OF TIME TO SUBMIT COMMENTS OF THE STATE WATER
RESOURCES CONTROL BOARD AND THE CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD, SAN DIEGO REGION ON PROPOSED PARAMETERS AND
GUIDELINES AND REQUEST FOR CORRECTION TO SERVICE LIST

By letter dated July 6, 2010, the Commission on State Mandates (Commission) notified the Claimants in the above proceeding that the proposed parameters and guidelines filed June 28, 2010, are complete and timely filed. The Commission's notice invites state agencies to submit comments on or before August 5, 2010. I am the attorney at the State Water Resources Control Board (State Water Board) assigned to this matter and will be preparing comments on behalf of the State Water Board and the San Diego Regional Water Quality Control Board (San Diego Water Board). I will be out of the office on a previously scheduled vacation from July 23 until August 9, 2010.

The final Statement of Decision issued by the Commission in Test Claim 07-TC-09 on March 30, 2010, determines that numerous provisions of the San Diego Water Board's municipal storm water discharge permit, referenced above (San Diego Permit), are subject to reimbursement by the State. The Claimants have estimated the cost of permit compliance at approximately \$55 million over the permit term. The State and San Diego Water Boards wish to closely evaluate the proposed parameters and guidelines that identify discrete tasks associated with the many relevant provisions of the San Diego Permit and anticipate that it will not be possible to complete their review and submit comments before July 23. For these reasons, the State Water Board and the San Diego Water Board believe that good cause exists under California Code of Regulations, title 2, section 1181.1, subdivision (h), for granting an extension

Ms. Nancy Patton

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of time and request that the Commission extend the time for state agencies to submit comments until **September 3, 2010**.

Please also note that David Gibson has replaced John Robertus as the Executive Director of the San Diego Water Board and we request that the Commission update its service list to reflect this change.

We appreciate your consideration of this request. Please contact me at (858) 467-2958 or by e-mail at chagan@waterboards.ca.gov if you have any questions.

Sincerely,



Catherine George Hagan
Senior Staff Counsel

cc: Proof of Service
Service List

PROOF OF SERVICE

I, Roni Dickerson, declare that I am over 18 years of age and not a party to the within action. I am employed in Sacramento County at 1001 I Street, 22nd Floor, Sacramento, California 95814. My mailing address is P.O. Box 100, Sacramento, CA 95812-0100. On this date, I served the within documents:

Test Claim No. 07-TC-09 California Regional Water Quality Control Board, San Diego Region Order No. R9-2007-001, (NPDES No. CAS0108758) Waste Discharge Requirements for Discharges of Urban Runoff From the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, the San Diego Unified Port District, and the San Diego County Regional Airport Authority, adopted on January 24, 2007; 07-TC-09, County of San Diego, Claimant: **Request for Further Extension of Time to Submit Comments of the State Water Resources Control Board and the California Regional Water Quality Control Board, San Diego Region**

	BY FACSIMILE: I caused a true and correct copy of the document to be transmitted by a facsimile machine compliant with rule 2003 of the California Rules of Court to the offices of the addresses at the telephone numbers shown on the service list.
X	BY ELECTRONIC MAIL: I caused a true and correct copy of the document(s) to be transmitted by electronic mail compliant with section 1010.6 of the California Code of Civil Procedure to the person(s) as shown.
	BY HAND DELIVERY: I caused a true and correct copy of the document(s) to be hand-delivered to the person(s) as shown.
	BY OVERNIGHT MAIL TO ALL PARTIES LISTED: I am readily familiar with my employer's practice for the collection and processing of overnight mail packages. Under that practice, packages would be deposited with an overnight mail carrier that same day, with overnight delivery charges thereon fully prepaid, in the ordinary course of business.
X	BY FIRST CLASS MAIL TO PARTIES NOT RECEIVING EMAIL: I am readily familiar with my employer's practice for the collection and processing of mail. Under that practice, envelopes would be deposited with the U.S. Postal Service that same day, with first class postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing shown in this proof of service.

By placing a true copy thereof in first class mail and/or electronic mail addressed to:

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Catherine George Hagan, Staff Counsel
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I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on July 19, 2010 at Sacramento, California.



Roni Dickerson
Legal Secretary