



# California Regional Water Quality Control Board San Diego Region

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**Matthew Rodriguez**  
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Environmental Protection*

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Received  
Commission on  
State Mandates  
April 9, 2012

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April 9, 2012

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

Dear Ms. Patton:

**SAN DIEGO REGION WATER PERMIT – RIVERSIDE COUNTY, 11-TC-03  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION,  
ORDER NO. R9-2010-0016, NDPES NO. CASO108766, ADOPTED NOVEMBER 10, 2010  
COUNTY OF RIVERSIDE, RIVERSIDE COUNTY FLOOD CONTROL & WATER  
CONSERVATION DISTRICT AND THE CITIES OF MURRIETA, TEMECULA AND  
WILDOMAR, CO-CLAIMANTS:  
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**

By letter dated December 19, 2011, the Commission on State Mandates (Commission) issued a revised notice of complete test claim filing and schedule for comments in the above-referenced matter, with all comments due on or before January 18, 2012. The Commission granted the State Water Resources Control Board's (State Water Board) and San Diego Regional Water Quality Control Board's (San Diego Water Board) request for an extension of time to submit comments on behalf of both Water Boards, with comments due on or before April 18, 2012. I am the attorney at the State Water Board assigned to this matter and will be preparing comments on behalf of the State Water Board and the San Diego Water Board.

The test claim filed by the Co-Claimants is very broad, covering almost every aspect in the challenged permit. In order to respond appropriately, the State and San Diego Water Boards wish to closely evaluate the test claim and the permit provisions alleged to be unfunded state mandates. We anticipate that it will not be possible to complete their review and submit written comments on or before the due date of April 18, 2012. I am the primary attorney assigned to a proceeding in which the San Diego Water Board is considering ongoing developments resulting from adoption of a cleanup and abatement order issued to numerous responsible parties to remediate sediment in San Diego Bay adjacent to several shipyards. I am also primarily responsible for legal assistance with a controversial new landfill, a region-wide municipal storm water permit, and multiple additional matters, including complex litigation concerning the

*California Environmental Protection Agency*

Ms. Nancy Patton, Assistant Executive Director- 2 -

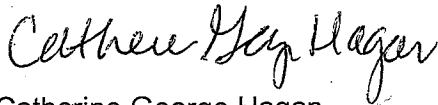
April 9, 2012

sewage flows at the International border with Mexico. These, as well as other ongoing matters, limit my ability to effectively respond to the Test Claim within the comment period.

For these reasons, the State and San Diego Water Boards believe that good cause exists under California Code of Regulations, title 2, section 1181.1, subdivision (h), for granting an extension of time for state agencies to submit comments on the above test claim until **July 18, 2012**.

We appreciate your consideration of this request. Please contact me at (858) 467-2958 or by e-mail at [chagan@waterboards.ca.gov](mailto:chagan@waterboards.ca.gov) if you have any questions. Please continue to use my mailing address c/o the San Diego Water Board office at 9174 Sky Park Court at the top of the letter.

Sincerely,



Catherine George Hagan  
Senior Staff Counsel

Enclosure: Service List

## Commission on State Mandates

Original List Date: 11/16/2011  
Last Updated: 12/19/2011  
List Print Date: 01/18/2012  
Claim Number: 11-TC-03  
Issue: San Diego Region Water Permit - Riverside County

### Mailing List

#### TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

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