



County of San Diego

RECEIVED
October 02, 2023
**Commission on
State Mandates**

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October 2, 2023

Via Drop Box

Heather Halsey, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

RE: *Test Claim No. 07-TC-09*

Request for Extension of Time to Submit Comments on Draft Proposed Decision and Proposed Parameters and Guidelines and Request for Hearing Postponement

Dear Ms. Halsey:

In our letter to you, dated August 15, 2023, we requested a 6-month extension of time to submit comments on the Commission's Draft Proposed Decision and Proposed Parameters and Guidelines for the referenced test claim, as well as a postponement of the Commission hearing to consider the same. In your letter to me, dated August 17, 2023, you indicated that the Commission could not grant a 6-month extension of the comment period, but that the Commission had granted a 60-day extension (to October 16, 2023) and postponed the hearing to December 1, 2023. However, you further stated, in pertinent part:

“[A] six-month extension from the original due date (to February 19, 2024) will be granted and the matter will be set for hearing on Friday May 24, 2024, if the claimant submits a written stipulation of the parties to the Commission on or before the claimant comment deadline of 5:00 p.m. on October 16, 2023. The parties to this matter are the claimant, Finance, the Controller, and the Water Boards.”

We therefore include herewith a stipulation of the parties wherein all have agreed to a 6-month extension of the time to submit comments on the Draft Proposed Decision. Please note, the parties also stipulated that the Department of Finance, the State Controller's Office, and the Water Boards may also have 6 months to respond to comments on the Draft Proposed Decision and that the hearing date may be postponed accordingly.

Ms. Halsey, Executive Director

-2-

October 2, 2023

If you have any questions or need additional information, please contact me at your convenience at (619) 531-4810 (office) or (619) 361-6499 (mobile).

I certify and declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct to the best of my personal knowledge, information, or belief, and that this declaration is executed on this 2nd day of October, 2023, at San Diego, California.

Very truly yours,

CLAUDIA G. SILVA, County Counsel

By: *Thomas Deák*
THOMAS DEAK, Senior Deputy

10-90318

COMMISSION ON STATE MANDATES - TEST CLAIM NO. 07-TC-09

STIPULATION TO EXTEND TIME TO SUBMIT COMMENTS ON DRAFT PROPOSED DECISION AND TO POSTPONE HEARING

In a letter to Heather Halsey, Executive Director, Commission on State Mandates (“CSM”), dated August 15, 2023, the County of San Diego (“County”)—test claimant for CSM Test Claim 07-TC-09 (“Test Claim”)—requested (1) a six-month extension of time to file written comments on the CSM’s Draft Proposed Decision and Proposed Parameters and Guidelines for the Test Claim (“Draft Proposed Decision”) and (2) a postponement of the hearing on the final Proposed Decision on the Test Claim. The County made those requests because it intends to submit a proposed Reasonable Reimbursement Methodology (“RRM”) with its written comments and will require approximately six months to prepare the RRM. The County requested that the time to file written comments on the Draft Proposed Decision be extended to February 17, 2024, and that the hearing be postponed to the CSM’s next regularly scheduled meeting after April 17, 2024.

In a letter to the County, dated August 17, 2023, CSM approved the County’s extension/postponement request, but—citing procedural limitations—only approved an extension of the comment period to October 16, 2023, and a postponement of the hearing to December 1, 2023. However, the CSM letter further stated, in pertinent part:

“[A] six-month extension from the original due date (to February 19, 2024) will be granted and the matter will be set for hearing on Friday May 24, 2024, if the claimant submits a written stipulation of the parties to the Commission on or before the claimant comment deadline of 5:00 p.m. on October 16, 2023. The parties to this matter are the claimant, Finance, the Controller, and the Water Boards.”

As noted, the parties to the Test Claim are the County (test claimant), the Department of Finance, the State Controller’s Office, and the Water Boards¹ (collectively, “the Parties”). By signing where indicated below, the Parties, and each of them, hereby stipulate that CSM may grant a six-month extension of time to submit written comments on the Draft Proposed Decision from the original due date (to February 19, 2024).

The Parties further stipulate that CSM may grant the Department of Finance, the Water Boards, and the State Controller’s Office six months from the date the County submits its written comments and proposed RRM, up to and

¹ As used herein, “Water Boards” means, collectively, the State Water Resources Control Board and the Regional Water Quality Control Board, San Diego Region.

including August 19, 2024, to review, file comments on, and make any objections to the County's written comments and proposed RRM, and that the matter will be set for hearing at CSM's next regularly scheduled meeting after November 24, 2024.

DATED: 9/27/23

COUNTY OF SAN DIEGO
CLAUDIA G. SILVA, County Counsel

By: 
THOMAS DEAK, Senior Deputy

DATED:

CALIFORNIA DEPARTMENT OF FINANCE

By: _____

DATED:

CALIFORNIA STATE CONTROLLER'S OFFICE

By: _____

DATED:

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

By: _____

DATED:

REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

By: _____

including August 19, 2024, to review, file comments on, and make any objections to the County's written comments and proposed RRM, and that the matter will be set for hearing at CSM's next regularly scheduled meeting after November 24, 2024.

DATED: COUNTY OF SAN DIEGO
CLAUDIA G. SILVA, County Counsel

By: _____
THOMAS DEÁK, Senior Deputy

DATED: CALIFORNIA DEPARTMENT OF FINANCE

9/26/23

By: Ken Kroger _____

DATED: CALIFORNIA STATE CONTROLLER'S OFFICE

By: _____

DATED: CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

By: _____

DATED: REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

By: _____

including August 19, 2024, to review, file comments on, and make any objections to the County's written comments and proposed RRM, and that the matter will be set for hearing at CSM's next regularly scheduled meeting after November 24, 2024.

DATED: COUNTY OF SAN DIEGO
CLAUDIA G. SILVA, County Counsel

By: _____
THOMAS DEÁK, Senior Deputy

DATED: CALIFORNIA DEPARTMENT OF FINANCE

By: _____

DATED: CALIFORNIA STATE CONTROLLER'S OFFICE

By: *Natalie Sidarous*
NATALIE SIDAROUS, Division Chief

DATED: CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

By: _____

DATED: REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

By: _____

including August 19, 2024, to review, file comments on, and make any objections to the County's written comments and proposed RRM, and that the matter will be set for hearing at CSM's next regularly scheduled meeting after November 24, 2024.

DATED: COUNTY OF SAN DIEGO
CLAUDIA G. SILVA, County Counsel

By: _____
THOMAS DEAK, Senior Deputy

DATED: CALIFORNIA DEPARTMENT OF FINANCE

By: _____

DATED: CALIFORNIA STATE CONTROLLER'S OFFICE

By: _____

DATED: CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

9/26/23

By: Catherine George Hagan

DATED: REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

9/26/23

By: Catherine George Hagan

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On October 10, 2023, I served the:

- **Stipulation of the Parties to Waive Procedural Requirements filed October 2, 2023**

San Diego Regional Water Quality Control Board Order No. R9-2007-0001, Permit CAS0108758, Parts D.3.a.(3)(b)(iii), D.5.a.(1), D.5.a.(2), D.5.b.(1)(a), D.5.b.(1)(b)(iii-vi), D.5.b.(1)(c), D.5.b.(1)(d), D.5.b.(2), D.5.b.(3), E.2.f., E.2.g., F.1., F.2., F.3., I.1., I.2., I.5., J.3.a.(3)(c)(iv)-(viii), (x)-(xv), the first sentence of L.1. as it applies to the newly mandated activities, and L.1.a.(3)-(6), 07-TC-09-R County of San Diego, Cites of Carlsbad, Del Mar, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, Solana Beach, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, San Diego, and Vista, Claimants

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 10, 2023 at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
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(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/3/23

Claim Number: 07-TC-09-R

Matter: San Diego Regional Water Quality Control Board Order No. R9-2007-0001
Permit CAS0108758 Parts D.1.d.(7)-(8), D.1.g., D.3.a.(3), D.3.a.(5), D.5, E.2.f,
E.2.g, F.1, F.2, F.3, I.1, I.2, I.5, J.3.a.(3)(c)iv-viii & x-xv, and L.

Claimants: City of Carlsbad
City of Chula Vista
City of Del Mar
City of Encinitas
City of Escondido
City of Imperial Beach
City of La Mesa
City of Lemon Grove
City of National City
City of Oceanside
City of Poway
City of San Diego
City of San Marcos
City of Santee
City of Solana Beach
City of Vista

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

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, § 1181.3.)

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