



State Water Resources Control Board

August 8, 2023

VIA DROP BOX

Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814



REQUEST FOR ONE-WEEK EXTENSION OF TIME TO FILE WRITTEN COMMENTS

Draft Proposed Decision and Parameters and Guidelines, Schedule for Comments, and Notice of Hearing

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, Cities 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

Dear Ms. Halsey,

By letter dated July 27, 2023, the Commission on State Mandates (Commission) issued a Draft Proposed Decision and Parameters and Guidelines, Schedule for Comments, and Notice of Hearing in the above matter.

The letter establishes an August 17, 2023 deadline for filing written comments on the Draft Proposed Decision and Parameters and Guidelines and sets a hearing date of October 27, 2023. For the reasons set forth below, the State Water Resources Control Board (State Water Board) and the California Regional Water Quality Control Board, San Diego Region (collectively Water Boards) request a one-week extension of time to file written comments until 5:00 p.m. on August 24, 2023. This is a timely request as it is being made before the date set for filing comments. (Cal. Code Regs., tit. 2, § 1187.9(a).)

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

The Draft Proposed Decision and Parameters and Guidelines address numerous permit provisions and contain extensive detailed discussion of reimbursable activities as well as what may constitute reasonably necessary activities associated with certain permit provisions. The Water Boards want to carefully evaluate the Draft Proposed Decision and Parameters and Guidelines with reference to the Amended Decision on Remand adopted in May, as well as the written comments and rebuttal comments concerning Claimants' original proposed Parameters and Guidelines submitted almost 13 years ago. I am the assigned attorney for this matter and will be on vacation August 11 through 18. In addition, I have had significant competing work priorities since the schedule of comments was released. To allow sufficient time to evaluate the Draft Proposed Decision and Parameters and Guidelines to develop thoughtful written comments for submittal, we request a one-week extension of time until 5 p.m. on August 24, 2023. Since the matter is set for hearing on October 27, 2023, a postponement of the hearing should not be necessary and the Water Boards are aware of no good reason for denial of this request.

Based on consideration of the standards set forth in section 1187.9, subdivision (a) of the Commission's regulations, the Water Boards respectfully request that the Commission grant the Water Boards' request for extension of time to submit comments on the Draft Proposed Decision and Parameters and Guidelines until 5:00 p.m. on August 24, 2023.

I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge, information, or belief.

Sincerely,



Catherine George Hagan
Attorney IV

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 August 10, 2023, I served the:

- **Current Mailing List dated August 7, 2023**
- **Notice of Extension Request Approval issued August 10, 2023**
- **Water Boards' Request for Extension of Time filed August 8, 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, Cities 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 August 10, 2023 at Sacramento, California.

David Chavez

David Chavez
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 8/7/23

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.

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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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