

WARREN D. WILLIAMS  
General Manager-Chief Engineer



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RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT  
September 28, 2010

Mr. David W. Gibson, Executive Officer  
San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Dear Mr. Gibson:

Re: October 13, 2010 Board Meeting  
Agenda Item 5: Tentative Order  
No. R9-2010-0016

In accordance with Note D to the October 13, 2010 meeting agenda notice, the Riverside County Flood Control and Water Conservation District (District), on behalf of itself and the County of Riverside and the Cities of Menifee (to the extent that this City will be subject to the tentative order), Murrieta, Temecula and Wildomar (collectively, the "Permittees") are writing to request alternate hearing procedures for the Regional Board's consideration of Tentative Order No. R9-2010-0016, noticed as Agenda Item Number 5 on the October 13, 2010 Regional Board Meeting Agenda.

The Permittees are making this request for three reasons. First, the Tentative Order is a complex document, containing a number of provisions that have not been included in previous municipal stormwater permits issued by this Board. The Permittees have identified concerns and suggestions regarding these provisions and wish to be able to have sufficient time to share those concerns and suggestions directly with Regional Board members. Second, the Permittees have not been afforded a workshop on the terms of the Tentative Order, thus, Board members will not have had the benefit of hearing directly from the Permittees with respect to the provisions of the Order. Third, while the Permittees have submitted written comments highlighting their primary concerns on the Tentative Order, Regional Board staff has not responded to these written comments as of the deadline for this Notice and Board staff has indicated that they will not be willing to meet with us to resolve remaining issues until after the response to comments has been published.

In light of these reasons and in accordance with Note D, the Permittees hereby request alternate hearing procedures for Agenda Item 5 of the October 13<sup>th</sup> Board Meeting. As expressed previously to Regional Board staff, the specific format and time needed by the Permittees at the hearing will necessarily be dependent on the Regional Board staff's pending response to comments. Therefore, the Permittees additionally request a meeting between the Permittees and Regional Board staff on the second working day (Monday through Thursday) following the release of the response to comments. The purpose of this meeting will be to discuss and finalize the needed modifications to the hearing procedures, pursuant to this request.

Mr. David Gibson, Executive Officer  
Re: October 13, 2010 Board Meeting  
Agenda Item 5: Tentative Order  
No. R9-2010-0016

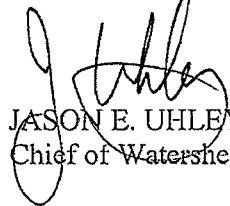
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September 28, 2010

On behalf of the Permittees, the District would like to thank Regional Board staff for the direct discussions that have occurred over the past several months. Those honest and direct discussions resulted in several key improvements to the Tentative Order. However, as we noted in our August 25, 2010 meeting, the process was cut short by the staff desire to hear the Permit on October 13<sup>th</sup>, resulting in issues which unavoidably must be taken to the Board for resolution. Further, the process as laid out by the Regional Board staff did not provide the Permittees with a workshop before the Board, or substantive time to respond to any revisions that may be proposed in the Response to Comments. Thus, sufficient time is required at the October 13<sup>th</sup> hearing so that the Permittees will have an adequate opportunity to verbally and directly convey their comments to the Board.

Please contact the undersigned with the Board's response to this request. Thank you for your attention to the Permittees' request.

Very truly yours,

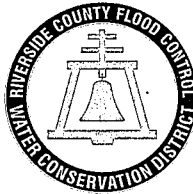


JASON E. UHLEY  
Chief of Watershed Protection Division

cc: Santa Margarita Region MS4 Permittees

CP:cw:bjp  
P8/133470

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RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

October 4, 2010

Mr. David W. Gibson, Executive Officer  
San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, California 92123-4340

Dear Mr. Gibson:

Re: Request for Alternate Hearing Procedures  
October 13, 2010 Board Meeting  
Agenda Item #5

In accordance with the Riverside County MS4 Permittees' (Permittees) request for an alternative hearing format dated September 28, 2010, and for the reasons specified therein, the Permittees hereby request the following schedule for providing testimony at the October 13<sup>th</sup> Water Board meeting:

1. Following the presentation by Board Staff, testimony by Permittees' elected officials (3-5 minutes each)
2. Joint Permittee Technical Presentation (1 hour)
3. Following testimony by other interested parties, Permittees' closing presentation (15 minutes, including providing an exhibit handout)

The Permittee presentations/testimony will likely utilize PowerPoint presentations and therefore, the Permittees additionally request a projector, screen and computer system pre-loaded with Microsoft PowerPoint software.

The Permittees reserve the right to assert additional hearing rights afforded by the Code of Regulations or the Administrative Procedure Act if required to respond to testimony or questions by the Board.

Thank you in advance for your consideration of these requests.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jason E. Uhley".

JASON E. UHLEY  
Chief of Watershed Protection Division

CP:cw  
P8/133616