September 14, 2011 Item No. 7 Supporting Document No. 5

## NOTICE OF PUBLIC HEARING CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

The California Regional Water Quality Control Board, San Diego Region, (San Diego Water Board) intends to consider issuing a time schedule order (Tentative Order No. R9-2011-0052) to Kinder Morgan Energy Partners to demonstrate that the discharge of treated groundwater from its Mission Valley Terminal remediation dewatering project to Murphy Canyon Creek does not cause, or contribute to an in-stream excursion above the water quality objective for total dissolved solids as established in the Water Quality Control Plan for the San Diego Region.

The San Diego Water Board is seeking public input on this matter and will hear oral comments at its meeting on August 10, 2011 at 9:00 a.m. in the San Diego Water Board Meeting Room, 9174 Sky Park Court, San Diego, California. For the accuracy of the record, significant comments should be submitted in writing. The San Diego Water Board expects commenters to summarize their written comments. Oral comments raising significant new issues not raised during the written comment period will not be permitted.

The final deadline for submittal of written comments is 5:00 P.M. on Wednesday, July 27, 2011. Written comments received after this date will not be provided to the San Diego Water Board members prior to the hearing. Written comments must be mailed, faxed, emailed, or delivered to the San Diego Water Board's office at 9174 Sky Park Court, Suite 100, San Diego, CA 92123, Phone: (858) 467-2952 and FAX: (858) 571-6972.

Pursuant to Title 23, California Code of Regulations, Section 648.4, the San Diego Water Board may refuse to admit written testimony or other evidence into the record if it is not submitted to the San Diego Water Board by the written comment deadline and will refuse to admit such testimony or evidence if doing so would prejudice any party or the board. The San Diego Water Board may modify this rule if the proponent demonstrates that compliance with the deadline would create an unreasonable hardship.

Information related to this matter is currently available and may be reviewed at the San Diego Water Board's office or on the San Diego Water Board's web page at <a href="http://www.waterboards.ca.gov/sandiego">http://www.waterboards.ca.gov/sandiego</a>.

For information regarding the above Item above, or to obtain a hard copy of the Tentative Order or associated supporting documents, please contact Mr. Ben Neill at (858) 467-2983 or by e-mail at <a href="mailto:bneill@waterboards.ca.gov">bneill@waterboards.ca.gov</a>.

Please bring the foregoing to the attention of any person known to you who would be interested in these matters.

JAMES G. SMITH Assistant Executive Officer June 27, 2011

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The San Diego

## Union-Tribune.

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P.O. Box 120191, San Diego, CA 92112-0191

## Affidavit of Publication

CALIFORNIA NEWSPAPER SERVICE P.O. BOX 60460 LOS ANGELES, CA 90060

STATE OF CALIFORNIA ss. County of San Diego }

The Undersigned, declares under penalty of perjury under the laws of the State of California: That she is a resident of the County of San Diego. That she is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that she is not a party to, nor interested in the above entitled matter; that she is Chief Clerk for the publisher of

## The San Diego Union-Tribune

a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

Jun 25, 2011

Chief Clerk for the Publishe

U-27-2011

Affidavit of Publication of

Legal Advertisement Ad # 0010525747 ORDERED BY: IRENE ANDAL



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MEARING CALIFORNIA
REGIONAL WATER
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REGION

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ca.gov. Please bring
the foregoing to the
attention of any person known to you
who would be intersted in these matlers. JAMES G.
SMITH
Assistant Executive Assistant Executive Officer June 27, 2011 CNS-2124557#