

## State Water Resources Control Board

June 23, 2016

**RECEIVED**  
June 23, 2016  
**Commission on  
State Mandates**

### VIA DROP BOX

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

### REQUEST FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD

Santa Ana Regional Water Permit, 09-TC-03  
California Regional Water Quality Control Board, Santa Ana Region  
Order No. R8-2009-0030  
County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach and Villa Park, Claimants

Dear Ms. Halsey:

By letter dated June 8, 2016, the Commission on State Mandates (Commission) requested the following additional information from the Santa Ana Regional Water Quality Control Board (Santa Ana Regional Board) and the State Water Resources Control Board (State Water Board):

- (a) copy of the full administrative record of the California [Regional] Water Quality Control Board, Santa Ana Region permit order no. R8-2009-0030, National Pollutant Discharge Elimination System (NPDES) no. CAS618030; and
- (b) copy of the full administrative record of the California State Water Resources Control Board permit order no. R8-2009-0030 (NPDES no. CAS618030).

The Commission has requested that these documents be provided as soon as possible, but not later than Friday, July 8, 2016.

Section 1187.9(a) of the Commission's regulations provides that as long as a postponement of a hearing would not be required, there is no prejudice to any party or interested party, and there is no other good reason for denial, a request for extension of time to file comments and rebuttals on a test claim shall be approved. Although this request for time extension involves a request for additional information and not directly to comments or rebuttals, the same equitable principles should apply.

The administrative record in this case is voluminous and will take a substantial amount of time and effort to compile and organize. While staff has begun working on this request, it will be exceptionally difficult to complete this request by July 8, 2016. For this reason, both the State Water Board and Santa Ana Regional Board request that the Commission extend the deadline to submit the requested documents by an additional thirty-one days, or until August 8, 2016 (a Monday).

The State Water Board and Santa Ana Regional Board recognize that the hearing in this matter is currently scheduled for January 27, 2017. However, the additional time requested should not negatively impact this schedule. I am authorized by counsel for the Test Claimants, Ryan Baron from the County Counsel's Office for the County of Orange, to represent that Test Claimants do not object to the requested extension of time. I am not aware of any prejudice to any party or interested party that would occur by extending the deadline as requested.

The State Water Board and Santa Ana Regional Board appreciate your consideration of this request. Please do not hesitate to contact me with any questions at (916) 341-5182 or [David.Rice@waterboards.ca.gov](mailto:David.Rice@waterboards.ca.gov).

Very truly yours,



David Rice  
Senior Staff Counsel

cc: Mailing List **[via Commission Drop Box]**

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**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 June 27, 2016, I served the:

**Request for Extension of Time to File Administrative Record; and  
Notice of Extension of Time to File Administrative Record Request Approval**

*Santa Ana Region Water Permit, 09-TC-03*

California Regional Water Quality Control Board, Santa Ana Region,  
Order No. R8-2009-0030

County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea,  
Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine,  
Lake Forest, Newport Beach, Placentia, Seal Beach and Villa Park, 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 June 27, 2016 at Sacramento, California.

  
\_\_\_\_\_  
Jill L. Magee  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 6/23/16

**Claim Number:** 09-TC-03

**Matter:** Santa Ana Regional Water Permit - Orange County

**Claimants:** City of Anaheim  
City of Brea  
City of Buena Park  
City of Costa Mesa  
City of Cypress  
City of Fountain Valley  
City of Fullerton  
City of Huntington Beach  
City of Irvine  
City of Lake Forest  
City of Newport Beach  
City of Placentia  
City of Seal Beach  
City of Villa Park  
County of Orange  
Orange County Flood Control District

### 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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