

Received
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Commission on
State Mandates

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February 28, 2013

Sent Via E-File

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

Re: *Santa Ana Region Water Permit – San Bernardino County*, 10-TC-10,
California Regional Water Quality Control Board, Santa Ana Region, Order No.
R8-2010- 0036, Effective January 29, 2010
San Bernardino County Flood Control District, County of San Bernardino, Cities
of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Highland, Montclair,
Ontario and Rancho Cucamonga, Co-Claimants

Dear Ms. Halsey:

This office represents the above-referenced Co-Claimants with respect to Test Claim 10-TC-10, Santa Ana Regional Water Quality Control Board Order No. R8-2010-0036, effective January 29, 2010. I am writing on behalf of the Co-Claimants to request that this Test Claim be placed on inactive status.

This request is being made due to the pendency of appeals regarding test claims filed with respect to the Los Angeles County and San Diego County municipal stormwater permits. Claimants believe that these appeals will clarify potentially controlling legal issues, making further briefing at this time on the Test Claim inadvisable and a waste of resources. Claimants have discussed this request with counsel for the Water Boards, David Rice, and Mr. Rice has no objection.

It is our understanding that inactive status preserves the filing date of the Test Claim for consideration by the Commission, and that once placed back on active status, any further briefing and consideration of the Test Claim would proceed on schedule.

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Co-Claimants therefore respectfully ask that you grant this request for the above-referenced Test Claim to be placed on inactive status, pending further instructions from the Co-Claimants. Thank you in advance for your consideration of this request.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'D. W. Burhenn', with a long horizontal flourish extending to the right.

David W. Burhenn

cc: Mailing List via E-File

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Yolo 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 March 5, 2013, I served the:

Request for Inactive Status of Test Claim

Santa Ana Region Water Permit – San Bernardino County, 10-TC-10

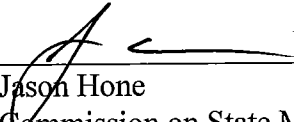
California Regional Water Quality Control Board, Santa Ana Region, Order No.

R8-2010-0036, effective January 29, 2010

San Bernardino County Flood Control District, County of San Bernardino, Cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Highland, Montclair, Ontario and Rancho Cucamonga, Co-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 March 5, 2013 at Sacramento, California.



Jason Hone
Commission on State Mandated
980 9th Street, Suite 300
Sacramento, CA 95814

Commission on State Mandates

Original List Date: 7/6/2011
Last Updated: 3/5/2013
List Print Date: 03/05/2013
Claim Number: 10-TC-10

Mailing List

Issue: Santa Ana Region Water Permit - San Bernardino County

TO ALL PARTIES AND INTERESTED PARTIES:

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. However, this requirement may also be satisfied by electronically filing your documents. Please see <http://www.csm.ca.gov/dropbox.shtml> on the Commission's website for instructions on electronic filing. (Cal. Code Regs., tit. 2, § 1181.2.)

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