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RECEIVED
December 14, 2016
**Commission on
State Mandates**

MEMBERS OF THE CITY COUNCIL

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December 12, 2016

Via Drop Box

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

Re: Designation of Joint Claimant Representative
California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11
City of San Juan Capistrano

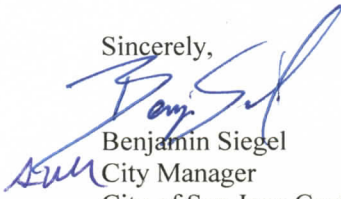
Dear Ms. Halsey,

The City of San Juan Capistrano submits this letter in response to correspondence dated December 8, 2016, from the Commission on State Mandates ("Commission") in the matter of *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11* ("Test Claim"). The Commission's letter grants the County of Orange and Orange County Flood Control District (collectively, "County") an extension of time to cure certain deficiencies in the Test Claim. The letter also states that "the co-claimants must have agreed to your representation and should have no problem revising their forms for the record. ... a party must designate *in writing* the authorized representative to act as its *sole representative* and that any change in representation shall be authorized by the party *in writing and filed and served* in accordance with section 1181.3 of the Commission's regulations." (Emphasis in original.)

Because the Commission's letter identifies uncertainty regarding whether the Test Claim is a joint effort due to the lack of a single claimant representative, it is unclear whether the extension granted to the County also applies to the City. To resolve this uncertainty, the City confirms that Julia Woo of the Orange County Counsel's office was authorized as the contact person to act as the resource for information regarding the Test Claim. (Cal. Code Regs., tit.2, § 1183.1, subd. (g)(3).) The County's request for an extension of time also served as a request on behalf of the City.

We appreciate the extension of time to submit revised documentation for the Test Claim. As it did in preparing the original Test Claim, the City will work with the County of Orange to submit the revised Test Claim materials by January 5, 2017.

Sincerely,


Benjamin Siegel
City Manager
City of San Juan Capistrano

cc: Service List

San Juan Capistrano: Preserving the Past to Enhance the Future

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 December 15, 2016, I served the:

Designation of Julia Woo as Joint Test Claim Representative by the City of San Juan Capistrano

California Regional Water Quality Control Board, San Diego Region,

Order No. R9-2009-0002, 10-TC-11

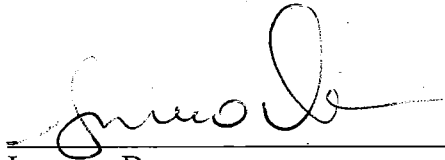
County of Orange, Orange County Flood Control District,

Cities of Dana Point, Laguna Hills, Laguna Niguel,

Lake Forest, Mission Viejo, and San Juan Capistrano, 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 December 15, 2016 at Sacramento, California.



Lorenzo Duran

Commission on State Mandates

980 Ninth Street, Suite 300

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(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 12/9/16

Claim Number: 10-TC-11

Matter: California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002

Claimants: City of Dana Point
City of Laguna Hills
City of Laguna Niguel
City of Lake Forest
City of Mission Viejo
City of San Juan Capistrano
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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