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GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Received
October 18, 2011
Commission on
State Mandates

State Water Resources Control Board

October 18, 2011

Ms. Nancy Patton
Assistant Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Dear Ms. Patton:

REVISED SCHEDULE FOR COMMENTS

SAN DIEGO REGION WATER PERMIT – ORANGE COUNTY, 10-TC-11

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION,
ORDER NO. R9-2009-0002, EFFECTIVE DECEMBER 16, 2009

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

REQUEST FOR EXTENSION OF TIME TO SUBMIT COMMENTS OF THE STATE WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

By letter dated July 13, 2011, the Commission on State Mandates (Commission) notified the Co-Claimants that the Commission issued the notice of complete test claim filing and schedule for comments in the above-referenced manner, with all comments due on or before August 12, 2011. On August 3, 2011, the Commission notified the Co-Claimants that the deadline to submit comments was extended until September 26, 2011. On September 19, 2011, I requested that the Commission extend the comment deadline to October 24, 2011, which the Commission granted on September 21, 2011. I am the attorney at the State Water Resources Control Board (State Water Board) assigned to this matter and will be preparing comments on behalf of the State Water Board and the San Diego Regional Water Quality Control Board (San Diego Water Board).

The test claim filed by the Co-Claimants is very broad and covers almost every aspect of the challenged permit. The State and San Diego Water Boards wish to closely evaluate the test claim and the provisions alleged to be unfunded state mandates and anticipate that it will not be possible to complete their review and submit comments before October 24, 2011. As well, the

CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Ms. Nancy Patton

- 2 -

October 18, 2011

San Diego Water Board is involved with a very large Cleanup and Abatement Order that will come before the San Diego Water Board in November, so I have been busy preparing for the board meeting. For these reasons, the State Water Board and the San Diego Water Board believe that good cause exists under California Code of Regulations, title 2, section 1181.1, subdivision (h), for granting an extension of time and request that the Commission extend the time for state agencies to submit comments until **December 9, 2011**.

We appreciate your consideration of this request. Please contact me at (916) 341-5168 or by e-mail at jmnewman@waterboards.ca.gov if you have any questions.

Sincerely,



Jessica Newman
Staff Counsel

cc: Proof of Service
Service List

PROOF OF SERVICE

I, Roni Dickerson, declare that I am over 18 years of age and not a party to the within action. I am employed in Sacramento County at 1001 I Street, 22nd Floor, Sacramento, California 95814. My mailing address is P.O. Box 100, Sacramento, CA 95812-0100. On October 18, 2011, I served the within document:

REVISED SCHEDULE FOR COMMENTS

	BY FACSIMILE: I caused a true and correct copy of the document to be transmitted by a facsimile machine compliant with rule 2003 of the California Rules of Court to the offices of the addresses at the telephone numbers shown on the service list.
X	BY ELECTRONIC MAIL: I caused a true and correct copy of the document(s) to be transmitted by electronic mail compliant with section 1010.6 of the California Code of Civil Procedure to the person(s) as shown.
	BY HAND DELIVERY: I caused a true and correct copy of the document(s) to be hand-delivered to the person(s) as shown.
	BY OVERNIGHT MAIL TO ALL PARTIES LISTED: I am readily familiar with my employer's practice for the collection and processing of overnight mail packages. Under that practice, packages would be deposited with an overnight mail carrier that same day, with overnight delivery charges thereon fully prepaid, in the ordinary course of business.
	BY FIRST CLASS MAIL TO ALL PARTIES LISTED: I am readily familiar with my employer's practice for the collection and processing of mail. Under that practice, envelopes would be deposited with the U.S. Postal Service that same day, with first class postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing shown in this proof of service.

By placing a true copy thereof in separate, sealed envelopes addressed to:

PLEASE SEE ATTACHED SERVICE LIST

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on October 18, 2011 at Sacramento, California.



Roni Dickerson
Legal Secretary

Commission on State Mandates

Original List Date: 7/11/2011
Last Updated: 9/21/2011
List Print Date: 09/21/2011
Claim Number: 10-TC-11
Issue: San Diego Region Water Permit - Orange County

Mailing List

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. (Cal. Code Regs., tit. 2, § 1181.2.)

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COMMISSION ON STATE MANDATES

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**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Solano 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 October 19, 2011, I served the:

SWRCB Extension Request

San Diego Region Water Permit – Orange County, 10-TC-11
California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, effective December 16, 2009
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 October 19, 2011 at Sacramento, California.



Heidi J. Palchik