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VIA DROP BOX

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

Re: California Regional Water Quality Control Board, San Diego Region,
Order No. R2-2009-0002, Test Claim 10-TC-11 – Request for Extension

Dear Ms. Halsey:

This letter is being written on behalf of our clients, the County of Orange and the Orange County Flood Control District, and on behalf of joint test claimants Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo and San Juan Capistrano (collectively, "Joint Test Claimants"), to request an extension to **December 6, 2016**, for the filing of the Joint Test Claimants' rebuttal to the Comments of State Water Resources Control Board and California Regional Water Quality Control Board, San Diego Region, on Test Claim 10-TC-11 ("State Board Comments"), which was served on the Joint Test Claimants on October 24, 2016.

Under Commission Regulations section 1183.3, subdivision (a), the Joint Test Claimants may file a rebuttal to the State Board Comments within 30 days of service thereof, or, in this case, by November 23, 2016. 2 Cal. Code Reg. § 1183.3(a). The Joint Test Claimants request an extension to **December 6, 2016**, applicable to all parties, interested parties and interested persons, for the filing of a rebuttal to the State Board Comments. Test Claim 10-TC-11 is scheduled to be heard by the Commission on **March 24, 2017**.

Section 1187.9, subdivision (a), of the Commission 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 on a test claim shall be approved. 2 Cal. Code Reg. §1187.9(a). Given that the hearing in this test claim is set for a date over four months away, a brief, thirteen day extension of the deadline to file a rebuttal should not require

Ms. Heather Halsey
Executive Director
November 4, 2016
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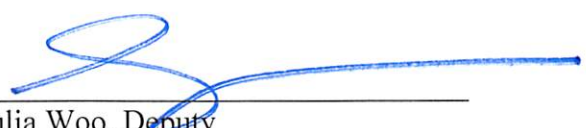
postponement of the current hearing date. For similar reasons, a less than two week extension would not result in prejudice to any party or interested party.

The Joint Test Claimants appreciate your consideration of this extension request. Please let me know if you or your staff have any questions. Thank you

Very truly yours,

LEON J. PAGE
COUNTY COUNSEL

By



Julia Woo, Deputy

JW:po

cc: Service List (Via Drop Box)

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

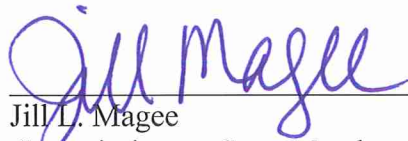
I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On November 7, 2016, I served the:

**Claimant Extension Request to File Rebuttal Comments and
Notice of Approval of Extension Request**
*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 November 7, 2016 at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
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(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/24/16

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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