



September 26, 2016

Ms. Catherine George Hagan
State Water Resources Control Board
c/o San Diego Water Board
2375 Northside Drive, Suite 100
San Diego, CA 92108

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: Notice of Extension Request Approval

San Diego Region Order No. R9-2015-0100 and Order No. R9-2015-0001, 15-TC-02 California Regional Water Quality Control Board, San Diego Region, Order No. R9-2015-0100, an Order Amending Order No. R9-2013-0001, NPDES No. CAS0109266, as Amended by Order No. R9-2015-0001, Adopted on November 18, 2015 County of Orange, Orange County Flood Control District, and the Cities of Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, and San Juan Capistrano, Claimants

Dear Ms. Hagan:

On September 23, 2016, the Commission on State Mandates (Commission) received your request for an extension of time to submit written comments on the above-captioned Test Claim. Comments are currently due on October 10, 2016. Specifically, you request a 90-day extension of time stating that because a petition for rehearing has been filed in the matter of *State of California Department of Finance, State Water Resources Control Board, and California Regional Water Quality Control Board, Los Angeles Region v. Commission on State Mandates and County of Los Angeles, et al.* California Supreme Court, Case No. S214855, the Supreme Court decision is not yet final. The Supreme Court has extended the time the decision in Case No. S214855 becomes final and the time for the court to either grant or deny the petition for rehearing until November 27, 2016. Should the Supreme Court decide to rehear the matter or modify its decision in any way, it may affect how the comments on this Test Claim are framed. You also state that the State Water Resources Control Board and the San Diego Regional Water Quality Control Board are currently focusing resources on evaluating the merits of another Test Claim pending before the Commission, with comments due in that matter on October 10, 2016.

Section 1187.9(a) of the Commission's regulations provides that so 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, the request for an extension of time to file comments shall be approved. As you are aware, per the *Notice of Complete Joint Test Claim Filing*, this Test Claim has been tentatively set for hearing on September 28, 2018. Pursuant to section 1187.9(a) of the Commission's regulations, and in light of the order issued by the California Supreme Court in Case No. S214855 extending the date for the court to consider whether or not to grant the request for rehearing until November 27, 2016, and the duty imposed under Government Code section 17530 for the executive director to expedite all matters within the jurisdiction of the

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Commission, your request for an extension of time to file comments on this Test Claim is approved for an additional **60 days**. Comments are now due on or before **December 9, 2016**.

Sincerely,

A handwritten signature in black ink, appearing to read "Halsey for". The signature is written in a cursive, flowing style.

Heather Halsey
Executive Director

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

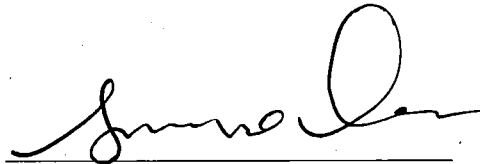
I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On September 26, 2016, I served the:

SWRCB Request for Extension and Notice of Extension Request Approval
San Diego Region Order No. R9-2015-0100 and Order No. R9-2015-0001, 15-TC-02
California Regional Water Quality Control Board, San Diego Region,
Order No. R9-2015-0100, an Order Amending Order No. R9-2013-0001,
NPDES No. CAS0109266, as Amended by Order No. R9-2015-0001,
Adopted on November 18, 2015
County of Orange, Orange County Flood Control District, and the Cities of
Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Lake Forest,
Mission Viejo, Rancho Santa Margarita, San Clemente, and San Juan Capistrano,
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 September 26, 2016 at Sacramento, California.



Lorenzo Duran Jr.
Commission on State Mandates
980 Ninth Street, Suite 300
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(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 9/14/16

Claim Number: 15-TC-02

Matter: San Diego Region Order No. R9-2015-0100 and Order No. R9-2015-0001

Claimants: City of Aliso Viejo
City of Dana Point
City of Laguna Beach
City of Laguna Hills
City of Laguna Niguel
City of Lake Forest
City of Mission Viejo
City of Rancho Santa Margarita
City of San Clemente
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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