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GOVERNOR



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SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

RECEIVED
February 06, 2017
**Commission on
State Mandates**

February 6, 2017

VIA DROP BOX

Heather Halsey
Executive Director
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980 Ninth Street, Suite 300
Sacramento, CA 95814

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

REQUEST FOR EXTENSION OF TIME TO FEBRUARY 16 TO SUBMIT COMMENTS OF THE STATE WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION

Dear Ms. Halsey:

By letter dated September 9, 2016, the Commission on State Mandates (Commission) issued a Notice of Complete Joint Test Claim filing in the above Test Claim. The Notice requests parties to submit written comments on the Test Claim on or before October 10, 2016. The Water Boards have received two requests for extension of time to file comments on the Test Claim with comments now due February 7, 2017. The Commission's most recent tentative hearing schedule indicates the hearing in this matter is tentatively scheduled for May, 2018.

Section 1187.9, subdivision (a), of the Commission's 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.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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

In addition to the preparation of extensive comments in the above matter, the Water Boards are also presently focusing resources on responding to the Third District Court of Appeal's request for a supplemental brief in *Department of Finance v. Commission on State Mandates C070357*. As Respondents in that litigation, the Water Boards' and Department of Finance's supplemental brief is due February 14, 2017.

The Water Boards request an extension of nine days, until February 16, to submit comments in the above Test Claim, 15-TC-02. The Water Boards are mindful of the Commission's statement in the last notice of approval of extension request that future requests will be disfavored. However, the limited extension will allow the Water Boards to provide a more thorough response, benefitting the Commission and all parties to the Test Claim. An extension of time will not require postponement of the hearing and the Water Boards are not aware of any prejudice to any party or interested person or any other good reason that the request for more time should not be granted. Accordingly, on behalf of the Water Boards, I request that the Commission extend the deadline to submit comments on this matter until February 16, 2017.

The Water Boards appreciate your consideration of this request. Please let me know if you have any questions. I can be reached at (619) 521-3012.

Sincerely,



Catherine George Hagan
Senior Staff Counsel

cc: **Service List [via Commission Drop Box]**
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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 February 7, 2017, I served the:

SWRCB Request for Extension and Approval of Extension Request
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 February 7, 2017 at Sacramento, California.



Jill L. Magee
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 1/19/17

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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