

April 8, 2025

Ms. Anya Kwan
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And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: Notice of Limited Extension Request Approval and Notice of Postponement of Hearing

San Diego Regional Water Quality Control Board Order No. R9-2007-0001, Permit CAS0108758, Parts D.3.a.(3)(b)(iii), D.5.a.(1), D.5.a.(2), D.5.b.(1)(a), D.5.b.(1)(b)(iii-vi), D.5.b.(1)(c), D.5.b.(1)(d), D.5.b.(2), D.5.b.(3), E.2.f., E.2.g., F.1., F.2., F.3., I.1., I.2., I.5., J.3.a.(3)(c)(iv)-(viii), (x)-(xv), the first sentence of L.1. as it applies to the newly mandated activities, and L.1.a.(3)-(6), 07-TC-09-R County of San Diego, Cites of Carlsbad, Del Mar, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, Solana Beach, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, San Diego, and Vista, Claimants

Dear Ms. Kwan:

On April 3, 2025, the claimants requested an extension of time to May 29, 2025, to file written comments on the Revised Draft Proposed Decision and Parameters and Guidelines in the above-stated matter and to postpone the May 23, 2025 hearing to the Commission on State Mandate's next regularly scheduled hearing on July 25, 2025. The basis of the request was stated as follows:

Here, Claimants must coordinate their rebuttal comments with their technical consultant and with each other - Claimants consist of 19 local agencies, each with their own records of expenditures required to comply with the mandates identified in the Commission's Revised Draft Proposed Decision and Parameters and Guidelines. The comment to the Revised Draft Proposed Decision and Parameters and Guidelines requires re-examination of the RRM's. Neither Claimants nor their technical consultant believe they can adequately provide a comment in the allotted three weeks. Claimants thus believe the requested extension of the comment deadline and postponement of the hearing date are essential to provide a thorough comment.

Based on the above, the claimants "believe that the requested extension will result in a need to move the hearing." The claimants further state that the State Controller's Office does not object to the proposed extension, the Department of Finance has not responded, and the Water Boards will not agree to an extension that will move the hearing.

Section 1187.9(b) of the Commission's regulations provides that a request for postponement until the next regularly scheduled hearing filed by the claimant at least 15 days before the hearing "shall be approved by the executive director for good cause"

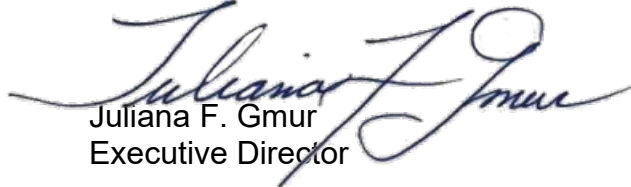
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which includes the number and complexity of the issues. (Cal. Code. Regs., tit. 2 § 1187.9(b)(1)(F); (b)(3)(A).)

The claimants have demonstrated good cause to grant the request for an extension of time to file written comments and to postpone the hearing. However, since Commission staff will require time to analyze any additional evidence and argument provided, the filing date cannot extend to May 29, 2025, as requested. Therefore, the claimants' comments on the Revised Draft Proposed Decision and Parameters and Guidelines are now due by **5:00 p.m. on May 16, 2025** and this matter is now set for hearing on Friday, **July 25, 2025**.

Finally, postponements are disfavored and, pursuant to Government Code section 17530, the executive director has a duty to expedite all matters before the Commission. (Cal. Code. Regs., tit. 2 § 1187.9(b).) As set forth in the claimants' Request, this matter has been continued several times from its original hearing date of October 27, 2023 and the Water Boards are opposed to this current extension. These factors along with the impact to delaying the pending matters on the Commission's calendar will weigh heavily should any further extensions be requested. (Cal. Code. Regs., tit. 2 § 1187.9(b)(2)(B), (E), (G).)

Sincerely,


Juliana F. Gmur
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 April 8, 2025, I served the:

- **Current Mailing List dated April 4, 2025**
- **Notice of Limited Extension Request Approval and Notice of Postponement of Hearing issued April 8, 2025**
- **Claimants' Request for Extension of Time and Postponement of Hearing filed April 3, 2025**

San Diego Regional Water Quality Control Board Order No. R9-2007-0001, Permit CAS0108758, Parts D.3.a.(3)(b)(iii), D.5.a.(1), D.5.a.(2), D.5.b.(1)(a), D.5.b.(1)(b)(iii-vi), D.5.b.(1)(c), D.5.b.(1)(d), D.5.b.(2), D.5.b.(3), E.2.f., E.2.g., F.1., F.2., F.3., I.1., I.2., I.5., J.3.a.(3)(c)(iv)-(viii), (x)-(xv), the first sentence of L.1. as it applies to the newly mandated activities, and L.1.a.(3)-(6), 07-TC-09-R County of San Diego, Cites of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, and Vista, 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 April 8, 2025 at Sacramento, California.



David Chavez
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 4/4/25

**Claim
Number:** 07-TC-09-R

Matter: San Diego Regional Water Quality Control Board Order No. R9-2007-0001 Permit CAS0108758 Parts D.1.d.(7)-(8), D.1.g., D.3.a.(3), D.3.a.(5), D.5, E.2.f, E.2.g, F.1, F.2, F.3, I.1, I.2, I.5, J.3.a.(3)(c)iv-viii & x-xv, and L.

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City of Chula Vista
City of Del Mar
City of Encinitas
City of Escondido
City of Imperial Beach
City of La Mesa
City of Lemon Grove
City of National City
City of Oceanside
City of Poway
City of San Diego
City of San Marcos
City of Santee
City of Solana Beach
City of Vista

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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