



August 10, 2023

Ms. Catherine George Hagan
State Water Resources Control Board
c/o San Diego Regional Water
Quality Control 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 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, Cities 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. Hagan:

On August 8, 2023, the Commission on State Mandates (Commission) received the State Water Resources Control Board's and the San Diego Regional Water Quality Control Board's (collectively, "the Water Boards") request for a one-week extension of time to file written comments on the Draft Proposed Decision and Parameters and Guidelines on the above-captioned Test Claim, currently due on August 17, 2023.

Specifically, the Water Boards state that an extension of time to August 24, 2023 is necessary because the Draft Proposed Decision and Parameters and Guidelines address numerous permit provisions and contain extensive detailed discussion of reimbursable activities as well as what may constitute reasonably necessary activities associated with certain permit provisions. In addition, the request states that the Water Boards want to carefully evaluate the Draft Proposed Decision and Parameters and Guidelines with reference to the Amended Decision on Remand adopted in May, as well as the written comments and rebuttal comments concerning Claimants' original proposed Parameters and Guidelines submitted almost 13 years ago. Finally, the request states that the assigned attorney for this matter will be on vacation August 11 through 18 and has significant competing work priorities since the schedule of comments was released.

Section 1187.9(a) of the Commission's regulations provide that any party or interested party to a matter may request an extension of time by filing a request with the executive director before the date set for filing of comments or rebuttals with Commission staff on that matter. The request shall fully explain the reasons for the extension, propose a new date for filing, and be certified, filed, and served in accordance with section 1181.3

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of these regulations. A party to a matter may request an extension of time that would necessitate rescheduling the hearing, but shall also include a request for postponement of the hearing, pursuant to subdivision (b) of this section. (Cal. Code. Regs., tit. 2 § 1187.9(a).)

Therefore, a one-week extension from the original due date is approved and the Water Boards' comments on the Draft Proposed Decision and Parameters and Guidelines are now due **by 5:00 p.m. on August 24, 2023**. This matter remains set for hearing on **Friday, October 27, 2023**.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey", with a stylized flourish extending to the right.

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 August 10, 2023, I served the:

- **Current Mailing List dated August 7, 2023**
- **Notice of Extension Request Approval issued August 10, 2023**
- **Water Boards' Request for Extension of Time filed August 8, 2023**

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, Cities 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

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 August 10, 2023 at Sacramento, California.

David Chavez

David Chavez
Commission on State Mandates
980 Ninth Street, Suite 300
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(916) 323-3562

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Mailing List

Last Updated: 8/7/23

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.

Claimants: City of Carlsbad
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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