



December 5, 2023

Ms. Donna Ferebee
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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

California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, 10-TC-07

California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, Sections IV; VI.D.1.a.vii; VI.D.1.c.i(8); VI.D.2.c; VI.D.2.d.ii(d); VI.D.2.i; VII.B; VII.D.2; VII.D.3; VIII.A; VIII.C; VIII.H; IX.C; IX.D; IX.E; IX.H; X.D; XI.D.1; XI.D.6; XI.D.7; XI.E.6; XII.A.1; XII.A.5; XII.B; XII.C.1; XII.D.1; XII.E.1; XII.E.2; XII.E.3; XII.E.4; XII.E.6; XII.E.7; XII.E.8; XII.E.9; XII.F; XII.G.1; XII.K.4; XII.K.5; XII.H; XIV.D; XV.A; XV.C; XV.F.1; XV.F.4; XV.F.5; XVII.A.3; and Appendix 3, Section III.E.3,¹ Adopted January 29, 2010

County of Riverside, Riverside County Flood Control & Water Conservation District, and Cities of Beaumont, Corona; Hemet, Lake Elsinore, Moreno Valley, Perris, and San Jacinto, Claimants

Dear Ms. Ferebee and Ms. Hagan,

On December 4, 2023, the Commission on State Mandates (Commission) received the State Water Resources Control Board's and the Los Angeles Regional Water Quality Control Board's (collectively, "Water Boards") and the Department of Finance's (Finance's) request, for a 27-day extension of time to file written comments on the above-captioned Test Claim, currently due on December 8, 2023.

Specifically, the Water Boards' request states that time to submit comments to January 4, 2024 is necessary because the Draft Proposed Decision (DPD) is over 300 pages long and raises complex legal and factual issues. Additionally, although assigned to this matter, the Water Boards' attorney was not involved in the development of the test claim permit adopted in 2010, as a result, it will take more time to evaluate the DPD considering the underlying than would otherwise be the case. Finally, with the recent and upcoming holidays and competing workload, additional time is necessary to thoroughly evaluate the DPD to provide the Commission with meaningful comments.

¹ Government Code section 17553(b)(1) requires test claims to identify the specific sections of the executive order alleged to contain a mandate and a detailed description of the new activities mandated by the state. Only the sections indicated in this caption have been properly pled.

Ms. Ferebee and Ms. Hagan

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In addition, Finance's request states that a 27-day extension of time to submit comments on the Draft Proposed Decision is necessary due to the length, which raised numerous, complex issues. Additionally, due to staff work associated with the 2024-25 Governor's Budget, staff will be unable to file their comments by the current deadline. Further, this extension of time will coincide with the extension granted for the claimants.

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 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 27-day extension from the original due date is approved for the Water Boards and Finance and their comments on the Draft Proposed Decision are now due by **5:00 p.m. on January 4, 2024.**

This matter remains set for hearing on **Friday, March 22, 2024.**

Sincerely,



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 December 5, 2023, I served the:

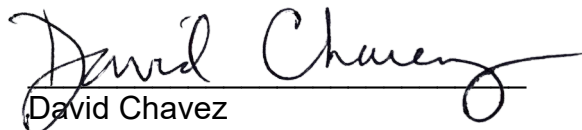
- **Current Mailing List dated November 30, 2023**
- **Notice of Extension Request Approval issued December 5, 2023**
- **Finance's Request for Extension of Time filed December 4, 2023**
- **Water Boards' Request for Extension of Time filed December 4, 2023**

California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, 10-TC-07

California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, Sections IV; VI.D.1.a.vii; VI.D.1.c.i(8); VI.D.2.c; VI.D.2.d.ii(d); VI.D.2.i; VII.B; VII.D.2; VII.D.3; VIII.A; VIII.C; VIII.H; IX.C; IX.D; IX.E; IX.H; X.D; XI.D.1; XI.D.6; XI.D.7; XI.E.6; XII.A.1; XII.A.5; XII.B; XII.C.1; XII.D.1; XII.E.1; XII.E.2; XII.E.3; XII.E.4; XII.E.6; XII.E.7; XII.E.8; XII.E.9; XII.F; XII.G.1; XII.K.4; XII.K.5; XII.H; XIV.D; XV.A; XV.C; XV.F.1; XV.F.4; XV.F.5; XVII.A.3; and Appendix 3, Section III.E.3, Adopted January 29, 2010
County of Riverside, Riverside County Flood Control & Water Conservation District, and Cities of Beaumont, Corona; Hemet, Lake Elsinore, Moreno Valley, Perris, and San Jacinto, 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 December 5, 2023 at Sacramento, California.



David Chavez
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 11/30/23

**Claim
Number:** 10-TC-07

Matter: California Regional Water Quality Control Board, Santa Ana
Region, Order No. R8-2010-0033

Claimants: City of Beaumont
City of Corona
City of Hemet
City of Lake Elsinore
City of Moreno Valley
City of Perris
City of San Jacinto
County of Riverside
Riverside County Flood Control and Water Conservation
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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