



State Water Resources Control Board

December 4, 2023



VIA DROP BOX

Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

REQUEST FOR 27-DAY EXTENSION OF TIME TO FILE WRITTEN COMMENTS

Draft Proposed Decision on *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.C.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; XIII.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.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, the Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Perris, and San Jacinto, Claimants

Dear Ms. Halsey:

By letter dated November 17, 2023, the Commission on State Mandates (Commission) issued a Draft Proposed Decision, Schedule for Comments, and Notice of Hearing in the above test claim matter. The letter established a December 8, 2023, deadline for filing written comments on the Draft Proposed Decision (DPD). On December 4, 2023, the Commission issued a Notice of Approval of Request for Extension and Postponement of Hearing in response to Claimants' request submitted November 30, 2023. Claimants now have until January 4, 2024, to submit written comments on the DPD and the hearing in this matter is now set for March 22, 2024.

The State Water Resources Control Board (State Water Board) and California Regional Water Quality Control Board, Santa Ana Region (Santa Ana Water Board) (collectively Water Boards) request a comparable extension of time to file comment until January 4, 2024, to coincide with the extension granted for Claimants. The DPD is over 300 pages and raises complex legal and factual issues. I am assigned to this matter but was not

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

involved in the development of the test claim permit adopted in 2010. As a result, it will take more time to evaluate the DPD in light of 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. For these reasons, the Water Boards request an extension of time until January 4, 2024, to submit comments on the DPD.

This is a timely request as it is being made before the date set for filing comments or rebuttals. (Cal. Code Regs., tit. 2, § 1187.9(a).) Moreover, section 1187.9(a) of the Commission's regulations provides that (1) as long as a postponement of a hearing would not be required, (2) no party will be prejudiced and (3) no other good reason for denial exists, "the request shall be approved."

The Water Boards do not believe a 27-day extension from the original December 8, 2023 deadline necessitates further postponement of the hearing now set for March 22, 2024. By granting an extension for the Water Boards to the same deadline as Claimants', no party is prejudiced. The Water Boards are not aware of any other good reason for denial of this request. For all these reasons, the Water Boards request that the Commission grant a 27-day extension of time for filing comments on the DPD and establish a new deadline of January 4, 2024.

I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge, information, or belief.

Sincerely,



Catherine George Hagan, Attorney IV
Office of Chief Counsel
State Water Resources Control Board

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:

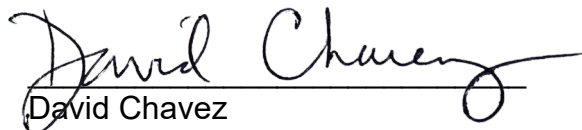
- **Current Mailing List dated November 30, 2023**
- **Notice of Extension Request Approval issued December 5, 2023**
- **Finance's Request for Extension of Time filed December 4, 2023**
- **Water Boards' Request for Extension of Time filed December 4, 2023**

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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