



January 9, 2024

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c/o San Diego Regional Water
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2375 Northside Drive, Suite 100
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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 Mr. Burhenn and Ms. Hagan,

On November 30, 2023, claimants filed with the Commission on State Mandates (Commission) a request for a 27-day extension of time to file written comments on the Draft Proposed Decision (DPD) on the above-captioned Test Claim, then due on December 8, 2023, and for postponement of the hearing, which was then set for January 26, 2024. This was approved for good cause.

On December 4, 2023, the State Water Resources Control Board's and the Los Angeles Regional Water Quality Control Board (collectively, "Water Boards") and the Department of Finance (Finance) filed requests with the Commission, for a 27-day extension of time to file written comments on the above-captioned Test Claim, then due on December 8, 2023, which was also approved.

On December 22, 2023, the claimants filed a request for a 1-day extension of time to file written comments on the Draft Proposed Decision on the above-captioned Test Claim, then due on January 4, 2024, which was approved.

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.

Mr. Burhenn and Ms. Hagan

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On January 2, 2024, the Water Boards filed a request for a 1-day extension of time to file comments on the Draft Proposed Decision, then due by 5:00 pm on January 4, 2024, which was also approved.

On January 3, 2024, both the claimants and the Water Boards filed with the Commission yet another request for a 7-day extension of time to January 12, 2024 to file written comments on the Draft Proposed Decision on the above-captioned Test Claim, due on January 5, 2024.

The Water Boards' request states that an additional extension is necessary due to holiday vacation schedules of other Water Board counsel involved in this matter and due to competing workload priorities, an additional week is necessary for the Water Boards to thoroughly evaluate the draft decision and provide the Commission with meaningful comments in this matter. Further, the Water Boards' request states: the requested 7-day extension will not necessitate further postponement of the hearing now set for March 22, 2024; the requested extension does not prejudice any party and the Water Boards are not aware of any other good reason for denial of this request; and that they do not oppose the Commission granting all parties a comparable extension request so that all parties have the same filing date for comments.

The claimants' request states that they received a letter from counsel for the Water Boards requesting an extension of time to Friday, January 12, 2024 for the filing of comments on the draft decision in this matter and that the Water Boards do not object to the extension being provided to all parties. Further, the claimants' request states that they do not object to the Water Boards' request but are requesting the granting of the same extension to all parties.

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. So 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, the request shall be approved.

However, three requests for extension within a month's time is not reasonable, and responding to them is not an appropriate use of the Commission's limited resources. The parties should have known about the annual holiday season and staff vacations, at the end of December when the first request was filed, and certainly by the time of the January 2 and January 4 were submitted, and should have made a single request for a longer period of time to include this consideration. Preparing and serving responses to these repeated requests is wasting the very limited resources of the Commission and preventing actual work on mandate claims from being performed. Therefore, this will be the last extension granted for comments on the Draft Proposed Decision and all further requests will be denied.

Mr. Burhenn and Ms. Hagan

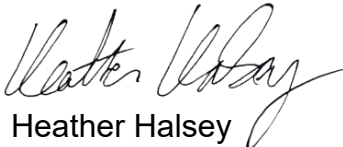
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Therefore, a 7-day extension from the original due date is approved for all parties, interested parties, and interested persons, and comments on the Draft Proposed Decision are now due by **5:00 p.m. on January 12, 2024.**

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

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey". The signature is fluid and cursive, with the first name being more prominent.

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 January 9, 2024, I served the:

- **Current Mailing List dated January 3, 2024**
- **Notice of Extension Request Approval issued January 9, 2024**
- **Claimants' Request for Extension of Time filed January 3, 2024**
- **Water Boards' Request for Extension of Time filed January 3, 2024**
- **Claimants' Comments on the Draft Proposed Decision filed January 5, 2024**

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 January 9, 2024, at Sacramento, California.



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

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 1/3/24

**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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