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State Mandates

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File No.  
17-8177

**VIA ELECTRONIC FILING**

Drew Bohan, Executive Director  
**Commission on State Mandates**  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

Re: ***Upper Santa Clara River Chloride Total Maximum Daily Load Requirements Imposed by the Los Angeles Regional Water Quality Control Board in Resolution R4-2008-0012, Test Claim No. 10-TC-09. Santa Clarita Valley Sanitation District's Request for a 30-day Extension of Time to File its Rebuttal to the California Regional Water Quality Control Board, Los Angeles Region and California Department of Finance's (collectively, "Respondents") Comments Served on August 1, 2011.***

Dear Mr. Bohan:

On July 29, 2011, the California Regional Water Quality Control Board, Los Angeles Region ("Regional Board") and the California Department of Finance filed their responses to the Santa Clarita Valley Sanitation District's (the "District") Test Claim No. 10-TC-09 ("Test Claim").<sup>1</sup> The Regional Board, after two extensions of time, filed a response that totaled approximately 1,290 pages with exhibits. Given the voluminous nature of the Respondents' comments, and the District's need to analyze and fully review all of this material within a fairly short time frame, the District hereby requests an extension of 30-days to ensure sufficient time to prepare the District's reply. If the extension is granted, the District will submit its rebuttal no later than **September 28, 2011**.

<sup>1</sup> It should be noted, however, that service of the Respondents' comments were not uploaded onto the Commission on State Mandates' website until August 1, 2011, which constitutes the effective date of service on the District. The Commission extended the date for filing the responses a total of 74 days from the original due date of May 16, 2011.

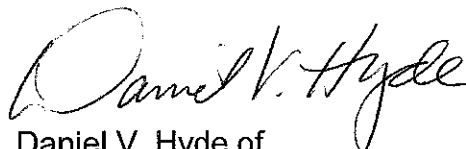
In accordance with California Code of Regulations, title 2, section 1183.03, the District's written rebuttal is presently due on August 29, 2011. However, section 1183.01, subdivision (c)(1) of Title 2 of the California Code of Regulations provides that "[a]ny party or interested party may request an extension of time by filing a request with the executive director before the date set for filing of responses, opposition, recommendations, rebuttals, plan, informational update, or comments with commission staff." (*Id.*, emphasis added.)

The Executive Director may approve a request filed by any party for good cause. (*Id.*, at § 1183.01, subd. (c)(1)(B).) The applicable regulations define "good cause" to include, in relevant part, the number and complexity of the issues raised and any other factor, which in the context of a particular claim constitutes good cause. Good cause may be established by a specific showing of other obligations involving deadlines that as a practical matter preclude filing the document by the due date without impairing quality. (Cal. Code Regs., Tit. 2, § 1181.1, subd. (h).)

The sheer volume of the response from the Regional Board will require significant time to fully review and analyze in the District's rebuttal. As the Regional Board stated in its requests for extension, a number of issues raised are matters of first impression and will require additional research and time to prepare a complete rebuttal. In addition, the District, as a county sanitation district, is governed by a board of directors ("Board") that meets periodically. The District's next monthly board meeting is scheduled for September 14, 2011, and an extension of time to provide a rebuttal will permit the District's Board to review and provide comments concerning the District's rebuttal. Following the monthly board meeting, the District counsel and staff would then have an additional two weeks to respond to any of the board's comments or concerns and incorporate any input into the final version of the rebuttal.

For the reasons set forth above, the District respectfully requests that the due date for its written rebuttal concerning the Test Claim be extended 30 days to September 28, 2011. The District believes that good cause exists to allow the Executive Director to grant this requested extension and appreciates your consideration of this request.

Very truly yours,



Daniel V. Hyde of  
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DVH/kah