



RECEIVED  
February 27, 2012  
Commission on  
State Mandates  
EDMUND G. BROWN JR.  
MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**

February 27, 2012

Ms. Nancy Patton  
Assistant Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

Dear Ms. Patton:

**REVISED SCHEDULE FOR COMMENTS**

*SAN DIEGO REGION WATER PERMIT – ORANGE COUNTY, 10-TC-11*

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION,  
ORDER NO. R9-2009-0002, EFFECTIVE DECEMBER 16, 2009

COUNTY OF ORANGE, ORANGE COUNTY FLOOD CONTROL DISTRICT, CITIES OF  
DANA POINT, LAGUNA HILLS, LAGUNA NIGUEL, LAKE FOREST, MISSION VIEJO, AND  
SAN JUAN CAPISTRANO, CO-CLAIMANTS

**REQUEST FOR EXTENSION OF TIME TO SUBMIT COMMENTS OF THE STATE WATER  
RESOURCES CONTROL BOARD AND THE CALIFORNIA REGIONAL WATER QUALITY  
CONTROL BOARD, SAN DIEGO REGION**

By letter dated July 13, 2011, the Commission on State Mandates (Commission) notified the Co-Claimants that the Commission issued the notice of complete test claim filing and schedule for comments in the above-referenced manner, with all comments due on or before August 12, 2011. The Commission granted previous extensions of time for comments and extended the comment period until March 2, 2012. I am the attorney at the State Water Resources Control Board (State Water Board) assigned to this matter and will be preparing comments on behalf of the State Water Board and the San Diego Regional Water Quality Control Board (San Diego Water Board).

The test claim filed by the Co-Claimants is very broad and covers almost every aspect of the challenged permit. The State and San Diego Water Boards wish to closely evaluate the test claim and the provisions alleged to be unfunded state mandates and anticipate that it will not be possible to complete their review and submit comments before March 2, 2012. Other work obligations, including being the sole legal counsel for other permits and board orders that have very short deadlines, have limited my ability to effectively respond to the test claim. In addition,

CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

Ms. Nancy Patton

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February 27, 2012

I have been assisting San Diego Water Board staff with a very large Cleanup and Abatement Order that I have been participating in as advisory counsel and will be decided by the San Diego Water Board in March. For these reasons, the State Water Board and the San Diego Water Board believe that good cause exists under California Code of Regulations, title 2, section 1181.1, subdivision (h), for granting an extension of time and request that the Commission extend the time for state agencies to submit comments until **March 16, 2012**.

We appreciate your consideration of this request. Please contact me at (916) 341-5168 or by e-mail at [jmnewman@waterboards.ca.gov](mailto:jmnewman@waterboards.ca.gov) if you have any questions.

Sincerely,



Jessica Newman  
Staff Counsel

cc: Proof of Service  
Service List

## Commission on State Mandates

Original List Date: 7/11/2011  
Last Updated: 1/30/2012  
List Print Date: 01/30/2012  
Claim Number: 10-TC-11  
Issue: San Diego Region Water Permit - Orange County

### Mailing List

#### TO ALL PARTIES AND INTERESTED PARTIES:

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, § 1181.2.)

Ms. Socorro Aquino State Controller's Office Division of Audits 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916)322-7522 Email SAquino@sco.ca.gov Fax:
Mr. Brian Annis Senate Budget & Fiscal Review Committee (E-22) California State Senate State Capitol, Room 5019 Sacramento, CA 95814	Tel: (916)651-4103 Email brian.annis@sen.ca.gov Fax: (916)323-8386
Mr. Jim Spano State Controller's Office (B-08) Division of Audits 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916)323-5849 Email jspano@sco.ca.gov Fax: (916)327-0832
Mr. Edward Jewik Los Angeles County Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012	Tel: (213)974-8564 Email ejewik@auditor.lacounty.gov Fax: (213)617-8106
Mr. Jai Prasad County of San Bernardino Office of Auditor-Controller 222 West Hospitality Lane, 4th Floor San Bernardino, CA 92415-0018	Tel: (909)386-8854 Email jai.prasad@atc.sbcounty.gov Fax: (909)386-8830
Mr. Jeff Carosone Department of Finance (A-15) 915 L Street, 8th Floor Sacramento, CA 95814	Tel: (916)445-8913 Email jeff.carosone@dof.ca.gov Fax:

Mr. James H. Eggart Woodruff, Spradlin & Smart 555 Anton Boulevard, #1200 Costa Mesa, CA 92626	Tel: (714)415-1062 Email: JEggart@wss-law.com Fax:
Mr. Mark Rewolinski MAXIMUS 625 Coolidge Drive, Suite 100 Folsom, CA 95630	Tel: (916)471-5516 Email: markrewolinski@maximus.com Fax: (916)366-4838
Mr. Jess Carbajal County of Orange County Flood Control District 300 North Flower Street Santa Ana, CA 92703	Tel: (714)667-3217 Email: jess.carbajal@ocpw.ocgov.com Fax:
Mr. Christien Brunette MAXIMUS 625 Coolidge Drive, Suite 100 Folsom, CA 95630	Tel: (916)471-5510 Email: christienbrunette@maximus.com Fax: (916)366-4838
Ms. Marianne O'Malley Legislative Analyst's Office (B-29) 925 L Street, Suite 1000 Sacramento, CA 95814	Tel: (916)319-8315 Email: marianne.O'malley@lao.ca.gov Fax: (916)324-4281
Ms. Harmeet Barkschat Mandate Resource Services, LLC 5325 Elkhorn Blvd. #307 Sacramento, CA 95842	Tel: (916)727-1350 Email: harmeet@calsdrc.com Fax: (916)727-1734
Mr. William P. Curley III Richards, Watson & Gershon, LLP 1 Civic Center Circle Brea, CA 92822-1059	Tel: (714)990-0901 Email: wcurley@rwglaw.com Fax: (714)990-6230
Mr. Terry E. Dixon City of Laguna Niguel City of Laguna Niguel 30111 Crown Valley Parkway Laguna Niguel, CA 92677	Tel: (949)362-4300 Email: tdixon@cityoflagunaniguel.org Fax: (949)362-4340
Ms. Jill Kanemasu State Controller's Office (B-08) Division of Accounting and Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916)322-9891 Email: jkanemasu@sco.ca.gov Fax:
Ms. Catherine George Hagan San Diego Regional Water Quality Control Board Office of Chief Counsel 9174 Sky Park Court, Suite 100	Tel: chagan@waterboards.ca.gov Email: chagan@waterboards.ca.gov Fax:

San Diego, CA 92123-4340

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Mr. Tim Casey City of Laguna Niguel City of Laguna Niguel 30111 Crown Valley Parkway Laguna Niguel, CA 92677	Tel: (949) 362-4300 Email tcasey@cityoflagunaniguel.org Fax: (949) 362-4340
Mr. Dennis Speciale State Controller's Office (B-08) Division of Accounting and Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 324-0254 Email DSpeciale@sco.ca.gov Fax:
Mr. Bruce E. Channing City of Laguna Hills 24035 El Toro Road Laguna Hills, CA 92653	Tel: (949) 707-2600 Email bchanning@ci.laguna-hills.ca.us Fax:
Ms. Donna Ferebee Department of Finance (A-15) 915 L Street, 11th Floor Sacramento, CA 95814	Tel: (916) 445-3274 Email donna.ferebee@dof.ca.gov Fax: (916) 323-9584
Ms. Anita Worlow AK & Company 3531 Kersey Lane Sacramento, CA 95864	Tel: (916) 972-1666 Email akcompany@um.att.com Fax:
Ms. Annette Chinn Cost Recovery Systems, Inc. 705-2 East Bidwell Street, #294 Folsom, CA 95630	Tel: (916) 939-7901 Email achinnrcs@aol.com Fax: (916) 939-7801
Mr. Randy Ward Department of Finance 915 L Street, 8th Floor Sacramento, CA 95814	Tel: (916) 445-8913 Email Randy.Ward@dof.ca.gov. Fax:
Ms. Susan Geanacou Department of Finance (A-15) 915 L Street, Suite 1280 Sacramento, CA 95814	Tel: (916) 445-3274 Email susan.geanacou@dof.ca.gov Fax: (916) 449-5252
Ms. Melissa Mendonca State Controller's Office (B-08) Division of Accounting & Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 322-7369 Email mmendonca@sco.ca.gov Fax:

---

Ms. Jessica Newman State Water Resources Control Board 1001 I Street, 22nd floor Sacramento, CA 95814	Tel: (916)341-5168 Email jmnewman@waterboards.ca.gov Fax: (916)341-5199
Mr. Brad Fowler City of Dana Point 33282 Golden Latern Dana Point, CA 92629	Tel: (949)248-3554 Email bfowler@danapoint.org Fax:
Mr. J. Bradley Burgess MGT of America 895 La Sierra Drive Sacramento, CA 95864	Tel: (916)595-2646 Email Bburgess@mgtamer.com Fax:
Mr. David R. Rice State Water Resources Control Board 1001 I Street, 22nd Floor Sacramento, CA 95814	Tel: (916)341-5161 Email davidrice@waterboards.ca.gov Fax: (916)341-5199
Mr. Andy Nichols Nichols Consulting 1857 44th Street Sacramento, CA 95819	Tel: (916)455-3939 Email andy@nichols-consulting.com Fax: (916)739-8712
Mr. Leonard Kaye Los Angeles County Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012	Tel: (213)974-9791 Email lkaye@auditor.lacounty.gov Fax: (213)617-8106
Ms. Juliana F. Gmur MAXIMUS 2380 Houston Ave Clovis, CA 93611	Tel: (916)471-5513 Email julianagmur@msn.com Fax: (916)366-4838
Mr. Robert L. Woodings City of Lake Forest 25550 Commercentre Dr., Suite 100 Lake Forest, CA 92630	Tel: (949)461-3480 Email rwoodings@lakeforestca.gov Fax:
Ms. Ferlyn Junio Nimbus Consulting Group, LLC 2386 Fair Oaks Boulevard, Suite 104 Sacramento, CA 95825	Tel: (916)480-9444 Email fjunio@nimbusconsultinggroup.com Fax: (800)518-1385
Mr. Andre Monette Best Best & Krieger, LLP 655 West Broadway San Diego, CA 92101	Tel: (619)525-1300 Email andre.monette@bbklaw.com Fax: (619)233-6118

Ms. Hasmik Yaghobyan County of Los Angeles Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012	Tel: (213)893-0792 Email: hyaghobyan@auditor.lacounty.gov Fax: (213)617-8106
Ms. Jolene Tollenaar MGT of America 2001 P Street, Suite 200 Sacramento, CA 95811	Tel: (916)443-9136 Email: jolene_tollenaar@mgtamer.com Fax: (916)443-1766
Ms. Evelyn Tseng City of Newport Beach 3300 Newport Blvd. P. O. Box 1768 Newport Beach, CA 92659-1768	Tel: (949)644-3127 Email: etseng@newportbeachca.gov Fax: (949)644-3339
Ms. Carla Shelton Department of Finance 915 L Street, 8th Floor Sacramento, CA 95814	Tel: (916)445-8913 Email: carla.shelton@dof.ca.gov Fax:
Mr. Michael Lauffer State Water Resources Control Board 1001 I Street, 22nd Floor Sacramento, CA 95814-2828	Tel: (916)341-5183 Email: mlauffer@waterboards.ca.gov Fax: (916)641-5199
Mr. Allan Burdick CSAC-SB 90 Service 2001 P Street, Suite 200 Sacramento, CA 95811	Tel: (916)443-9236 Email: allan_burdick@mgtamer.com Fax: (916)443-1766
Mr. David Wellhouse David Wellhouse & Associates, Inc. 9175 Kiefer Blvd, Suite 121 Sacramento, CA 95826	Tel: (916)368-9244 Email: dwa-david@surewest.net Fax: (916)368-5723
Mr. Jay Lal State Controller's Office (B-08) Division of Accounting & Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916)324-0256 Email: JLal@sco.ca.gov Fax: (916)323-6527
Mr. Geoffrey K. Hunt County of Orange 10 Civic Center Plaza P.O. Box 1379 Santa Ana, CA 92702-1379	Tel: (714)834-3306 Email: Geoff.Hunt@coco.ocgov.com Fax: (714)834-2359
Mr. Omar Sandoval Woodruff, Spradlin & Smart 555 Anton Boulevard, #1200 Costa Mesa, CA 92626	Tel: (714)415-1049 Email: osandoval@wss-law.com Fax: (714)415-1149

---

Mr. Richard Schlesinger City of Mission Viejo 200 Civic Center Mission Viejo, CA 92691	Tel: (949)470-3079 Email rschlesinger@cityofmissionviejo.org Fax: (949)581-5394
Mr. Richard Montevideo Rutan & Tucker, LLP 611 Anton Blvd., Suite 1400 Costa Mesa, CA 92626	Tel: (714)641-5100 Email rmontevideo@rutan.com Fax: (714)546-9035
Mr. Frank Murphy MAXIMUS 17310 Red Hill Avenue, Suite 340 Irvine, CA 92614	Tel: (949)440-0845 Email frankmurphy@maximus.com Fax: (949)440-0855
Mr. Nasser Abbaszadeh City of San Juan Capistrano 32400 Paseo Adelanto San Juan Capistrano, CA 92675	Tel: (949)443-6398 Email NAbbaszadeh@sanjuancapistrano.org Fax: (949)493-1251

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**COMMISSION ON STATE MANDATES**

980 NINTH STREET, SUITE 300  
SACRAMENTO, CA 95814  
PHONE: (916) 323-3562  
FAX: (916) 445-0278  
E-mail: csminfo@csm.ca.gov

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Placer 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.

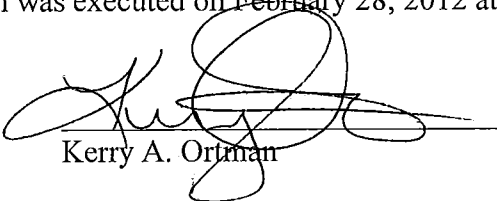
On February 28, 2012, I served the:

**SWRCB Extension Request**

*San Diego Region Water Permit – Orange County, 10-TC-11*  
California Regional Water Quality Control Board, San Diego Region, Order No.  
R9-2009-0002, effective December 16, 2009  
County of Orange, Orange County Flood Control District, Cities of Dana Point,  
Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano,  
Co-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 February 28, 2012 at Sacramento, California.



Kerry A. Ortman

## Commission on State Mandates

Original List Date: 7/11/2011  
Last Updated: 2/1/2012  
List Print Date: 02/28/2012  
Claim Number: 10-TC-11  
Issue: San Diego Region Water Permit - Orange County

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---

Ms. Socorro Aquino  
State Controller's Office  
Division of Audits  
3301 C Street, Suite 700  
Sacramento, CA 95816

Tel: (916) 322-7522  
Email SAquino@sco.ca.gov  
Fax:

---

Mr. Brian Annis  
Senate Budget & Fiscal Review Committee (E-22)  
California State Senate  
State Capitol, Room 5019  
Sacramento, CA 95814

Tel: (916) 651-4103  
Email brian.annis@sen.ca.gov  
Fax: (916) 323-8386

---

Mr. Jim Spano  
State Controller's Office (B-08)  
Division of Audits  
3301 C Street, Suite 700  
Sacramento, CA 95816

Tel: (916) 323-5849  
Email jspano@sco.ca.gov  
Fax: (916) 327-0832

---

Mr. Edward Jewik  
Los Angeles County Auditor-Controller's Office  
500 W. Temple Street, Room 603  
Los Angeles, CA 90012

Tel: (213) 974-8564  
Email ejewik@auditor.lacounty.gov  
Fax: (213) 617-8106

---

Mr. Jai Prasad  
County of San Bernardino  
Office of Auditor-Controller  
222 West Hospitality Lane, 4th Floor  
San Bernardino, CA 92415-0018

Tel: (909) 386-8854  
Email jai.prasad@atc.sbcounty.gov  
Fax: (909) 386-8830

---

Mr. Jeff Carosone  
Department of Finance (A-15)  
915 L Street, 8th Floor  
Sacramento, CA 95814

Tel: (916) 445-8913  
Email jeff.carosone@dof.ca.gov  
Fax:

Mr. James H. Eggart Woodruff, Spradlin & Smart 555 Anton Boulevard, #1200 Costa Mesa, CA 92626	Tel: (714) 415-1062 Email JEggart@wss-law.com Fax:
Mr. Mark Rewolinski MAXIMUS 625 Coolidge Drive, Suite 100 Folsom, CA 95630	Tel: (916) 471-5516 Email markrewolinski@maximus.com Fax: (916) 366-4838
Mr. Jess Carbajal County of Orange County Flood Control District 300 North Flower Street Santa Ana, CA 92703	Tel: (714) 667-3217 Email jess.carbajal@ocpw.ocgov.com Fax:
Mr. Brian Annis Senate Budget & Fiscal Review Committee (E-22) California State Senate State Capitol, Room 5019 Sacramento, CA 95814	Tel: (916) 651-4103 Email brian.annis@sen.ca.gov Fax: (916) 323-8386
Mr. Christien Brunette MAXIMUS 625 Coolidge Drive, Suite 100 Folsom, CA 95630	Tel: (916) 471-5510 Email christienbrunette@maximus.com Fax: (916) 366-4838
Ms. Marianne O'Malley Legislative Analyst's Office (B-29) 925 L Street, Suite 1000 Sacramento, CA 95814	Tel: (916) 319-8315 Email marianne.O'malley@lao.ca.gov Fax: (916) 324-4281
Ms. Harmeet Barkschat Mandate Resource Services, LLC 5325 Elkhorn Blvd. #307 Sacramento, CA 95842	Tel: (916) 727-1350 Email harmeet@calsdrc.com Fax: (916) 727-1734
Mr. William P. Curley III Richards, Watson & Gershon, LLP 1 Civic Center Circle Brea, CA 92822-1059	Tel: (714) 990-0901 Email wcurley@rwglaw.com Fax: (714) 990-6230
Mr. Terry E. Dixon City of Laguna Niguel City of Laguna Niguel 30111 Crown Valley Parkway Laguna Niguel, CA 92677	Tel: (949) 362-4300 Email tdixon@cityoflagunaniguel.org Fax: (949) 362-4340
Ms. Jill Kanemasu State Controller's Office (B-08) Division of Accounting and Reporting 3301 C Street, Suite 700	Tel: (916) 322-9891 Email jkanemasu@sco.ca.gov Fax:

Sacramento, CA 95816

---

Ms. Catherine George Hagan San Diego Regional Water Quality Control Board Office of Chief Counsel 9174 Sky Park Court, Suite 100 San Diego, CA 92123-4340	Tel: chagan@waterboards.ca.gov Email chagan@waterboards.ca.gov Fax:
Mr. Tim Casey City of Laguna Niguel City of Laguna Niguel 30111 Crown Valley Parkway Laguna Niguel, CA 92677	Tel: (949) 362-4300 Email tcasey@cityoflagunaniguel.org Fax: (949) 362-4340
Mr. Dennis Speciale State Controller's Office (B-08) Division of Accounting and Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 324-0254 Email DSpeciale@sco.ca.gov Fax:
Mr. Bruce E. Channing City of Laguna Hills 24035 El Toro Road Laguna Hills, CA 92653	Tel: (949) 707-2600 Email bchanning@ci.laguna-hills.ca.us Fax:
Ms. Donna Ferebee Department of Finance (A-15) 915 L Street, 11th Floor Sacramento, CA 95814	Tel: (916) 445-3274 Email donna.ferebee@dof.ca.gov Fax: (916) 323-9584
Ms. Anita Worlow AK & Company 3531 Kersey Lane Sacramento, CA 95864	Tel: (916) 972-1666 Email akcompany@um.att.com Fax:
Ms. Annette Chinn Cost Recovery Systems, Inc. 705-2 East Bidwell Street, #294 Folsom, CA 95630	Tel: (916) 939-7901 Email achinnrcs@aol.com Fax: (916) 939-7801
Mr. Randy Ward Department of Finance 915 L Street, 8th Floor Sacramento, CA 95814	Tel: (916) 445-8913 Email Randy.Ward@dof.ca.gov. Fax:
Ms. Susan Geanacou Department of Finance (A-15) 915 L Street, Suite 1280 Sacramento, CA 95814	Tel: (916) 445-3274 Email susan.geanacou@dof.ca.gov Fax: (916) 449-5252

Ms. Melissa Mendonca State Controller's Office (B-08) Division of Accounting & Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 322-7369 Email mmendonca@sco.ca.gov Fax:
Ms. Jessica Newman State Water Resources Control Board 1001 I Street, 22nd floor Sacramento, CA 95814	Tel: (916) 341-5168 Email jmnewman@waterboards.ca.gov Fax: (916) 341-5199
Mr. Brad Fowler City of Dana Point 33282 Golden Latern Dana Point, CA 92629	Tel: (949) 248-3554 Email bfowler@danapoint.org Fax:
Mr. J. Bradley Burgess MGT of America 895 La Sierra Drive Sacramento, CA 95864	Tel: (916) 595-2646 Email Bburgess@mgtamer.com Fax:
Mr. David R. Rice State Water Resources Control Board 1001 I Street, 22nd Floor Sacramento, CA 95814	Tel: (916) 341-5161 Email davidrice@waterboards.ca.gov Fax: (916) 341-5199
Mr. Andy Nichols Nichols Consulting 1857 44th Street Sacramento, CA 95819	Tel: (916) 455-3939 Email andy@nichols-consulting.com Fax: (916) 739-8712
Mr. Leonard Kaye Los Angeles County Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012	Tel: (213) 974-9791 Email lkaye@auditor.lacounty.gov Fax: (213) 617-8106
Ms. Juliana F. Gmur MAXIMUS 2380 Houston Ave Clovis, CA 93611	Tel: (916) 471-5513 Email julianagmur@msn.com Fax: (916) 366-4838
Mr. Tom Wheeler City of Lake Forest 25550 Commercentre Dr., Suite 100 Lake Forest, CA 92630	Tel: (949) 461-3480 Email twheeler@lakeforestca.gov Fax:
Ms. Ferlyn Junio Nimbus Consulting Group, LLC 2386 Fair Oaks Boulevard, Suite 104 Sacramento, CA 95825	Tel: (916) 480-9444 Email fjunio@nimbusconsultinggroup.com Fax: (800) 518-1385

Mr. Andre Monette Best Best & Krieger, LLP 655 West Broadway San Diego, CA 92101	Tel: (619) 525-1300 Email andre.monette@bbklaw.com Fax: (619) 233-6118
Ms. Hasmik Yaghobyan County of Los Angeles Auditor-Controller's Office 500 W. Temple Street, Room 603 Los Angeles, CA 90012	Tel: (213) 893-0792 Email hyaghobyan@auditor.lacounty.gov Fax: (213) 617-8106
Ms. Jolene Tollenaar MGT of America 2001 P Street, Suite 200 Sacramento, CA 95811	Tel: (916) 443-9136 Email jolene_tollenaar@mgtamer.com Fax: (916) 443-1766
Ms. Evelyn Tseng City of Newport Beach 3300 Newport Blvd. P. O. Box 1768 Newport Beach, CA 92659-1768	Tel: (949) 644-3127 Email etseng@newportbeachca.gov Fax: (949) 644-3339
Ms. Carla Shelton Department of Finance 915 L Street, 8th Floor Sacramento, CA 95814	Tel: (916) 445-8913 Email carla.shelton@dof.ca.gov Fax:
Mr. Michael Lauffer State Water Resources Control Board 1001 I Street, 22nd Floor Sacramento, CA 95814-2828	Tel: (916) 341-5183 Email mlauffer@waterboards.ca.gov Fax: (916) 641-5199
Mr. Allan Burdick CSAC-SB 90 Service 2001 P Street, Suite 200 Sacramento, CA 95811	Tel: (916) 443-9236 Email allan_burdick@mgtamer.com Fax: (916) 443-1766
Mr. David Wellhouse David Wellhouse & Associates, Inc. 9175 Kiefer Blvd, Suite 121 Sacramento, CA 95826	Tel: (916) 368-9244 Email dwa-david@surewest.net Fax: (916) 368-5723
Mr. Jay Lal State Controller's Office (B-08) Division of Accounting & Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 324-0256 Email JLal@sco.ca.gov Fax: (916) 323-6527
Mr. Geoffrey K. Hunt County of Orange 10 Civic Center Plaza P.O. Box 1379 Santa Ana, CA 92702-1379	Tel: (714) 834-3306 Email Geoff.Hunt@coco.ocgov.com Fax: (714) 834-2359

---

Mr. Omar Sandoval Woodruff, Spradlin & Smart 555 Anton Boulevard, #1200 Costa Mesa, CA 92626	Tel: (714) 415-1049 Email osandoval@wss-law.com Fax: (714) 415-1149
Mr. Richard Schlesinger City of Mission Viejo 200 Civic Center Mission Viejo, CA 92691	Tel: (949) 470-3079 Email rschlesinger@cityofmissionviejo.org Fax: (949) 581-5394
Mr. Richard Montevideo Rutan & Tucker, LLP 611 Anton Blvd., Suite 1400 Costa Mesa, CA 92626	Tel: (714) 641-5100 Email rmontevideo@rutan.com Fax: (714) 546-9035
Mr. Frank Murphy MAXIMUS 17310 Red Hill Avenue, Suite 340 Irvine, CA 92614	Tel: (949) 440-0845 Email frankmurphy@maximus.com Fax: (949) 440-0855
Mr. Nasser Abbaszadeh City of San Juan Capistrano 32400 Paseo Adelanto San Juan Capistrano, CA 92675	Tel: (949) 443-6398 Email NAbbaszadeh@sanjuancapistrano.org Fax: (949) 493-1251

---