

COMMISSION ON STATE MANDATES

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August 14, 2013

Ms. Catherine George Hagan
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123

And Interested Parties and Affected State Agencies (See Mailing List)

RE: Notice of Extension Request Approval

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

Dear Ms. Hagan:

The Commission has received your 11th request for an extension of time to submit comments on the above-named matter. In your request, you noted that counsel for the claimants authorized you to represent to the Commission that the claimants stipulate to the 120-day extension request. Section 1183.01(c)(1)(A) of the Commission's regulations provides that extensions by stipulation of the parties *shall* be approved by the executive director for good cause. Here, however, there is no indication that the Department of Finance, which is also a party to this matter, has stipulated to the extension.

Section 1183.01(c)(1)(B) of the Commission's regulations provides that requests for extensions filed by the claimant, a state agency or an interested party *may* be approved by the executive director for good cause. In your request, you cite to currently pending litigation on other NPDES test claims, addressing some of the same issues present in this test claim. Furthermore, because this item is not yet set for hearing, the granting of this extension will not cause further delay. Hence, there is no prejudice to the parties as a result of this extension.

Therefore, your request for extension of time to submit comments on this matter is approved for good cause. Comments are now due on or before **January 14, 2014**.

Please contact Heidi Palchik at (916) 323-3562 if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey".

Heather Halsey
Executive Director

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Solano 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 August 14, 2013, I served the:

**Claimant Request for Extension; and
Notice of Extension Request Approval**

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California Regional Water Quality Control Board, San Diego Region,
Order No. R9-2009-0002, effective December 16, 2009
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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 August 14, 2013 at Sacramento, California.



Heidi J. Palchik
Commission on State Mandates
980 Ninth Street, Suite 300
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(916) 323-3562

Commission on State Mandates

Original List Date: 7/11/2011
Last Updated: 8/1/2013
List Print Date: 08/14/2013
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. However, this requirement may also be satisfied by electronically filing your documents. Please see <http://www.csm.ca.gov/dropbox.shtml> on the Commission's website for instructions on electronic filing. (Cal. Code Regs., tit. 2, § 1181.2.)

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