

State Water Resources Control Board

**RECEIVED**  
June 13, 2016  
**Commission on  
State Mandates**

June 13, 2016

**VIA DROP BOX**

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

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

Dear Ms. Halsey:

By letter dated July 13, 2011, the Commission on State Mandates (Commission) issued a notice of complete test claim filing and schedule for comments in the above-referenced matter, with all comments originally due on or before August 12, 2011. The Commission has granted the State Water Resources Control Board's (State Water Board) and the San Diego Regional Water Quality Control Board's (San Diego Water Board) subsequent requests for extension of time to submit comments on behalf of both Water Boards. The Commission's last notice of approval of extension request dated December 15, 2015, established a comment deadline of 60 days after the decision is filed in the California Supreme Court case (*State of California Department of Finance, State Water Resources Control Board, and California Regional Water Quality Control*

*Board, Los Angeles Region v. Commission on State Mandates and County of Los Angeles, et al.*, California Supreme Court, Case No. S214855) or June 15, 2016, whichever comes first.

Section 1187.9(a) of the Commission's regulations provides that as 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, a request for extension of time to file comments on a test claim shall be approved.

The above matter is not yet set for hearing due to the pending Supreme Court case identified above. Because of the pending litigation and because no hearing has yet been set, the Water Boards are not aware of any prejudice to any interested person or any other good reason that the additional extension of time requested below should not be granted. In addition, I am authorized by counsel for the Test Claimants in the above matter, Ryan Baron, to represent that the Test Claimants do not object to the requested extension of time. I am likewise authorized to represent that the Department of Finance, also a party to this Test Claim, does not object to the requested extension. Accordingly, on behalf of the Water Boards, I request that the Commission extend the deadline to submit comments on this matter so that comments are due 60 days after a decision in the California Supreme Court case has been filed, or on December 19, 2016 (approximately 180 days from June 15), whichever comes first.

The Water Boards appreciate your consideration of this request. Please let me know if you have any questions. I can be reached at (619) 521-3012 or [Catherine.Hagan@waterboards.ca.gov](mailto:Catherine.Hagan@waterboards.ca.gov).

Sincerely,



Catherine George Hagan  
Senior Staff Counsel

cc: Service List **[via Commission Drop Box]**

Adriana Nunez **[via e-mail only]**  
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**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 June 15, 2016, I served the:

**SWRCB Request for Extension; and  
Notice of Extension Request Approval for 30 Days from Supreme Court Decision**  
*San Diego Region Water Permit – County of Orange, 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 June 15, 2016 at Sacramento, California.

  
\_\_\_\_\_  
Jill L. Magee  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 6/13/16

**Claim Number:** 10-TC-11

**Matter:** San Diego Region Water Permit - Orange County

**Claimants:** City of Dana Point  
City of Laguna Hills  
City of Laguna Niguel  
City of Lake Forest  
City of Mission Viejo  
City of San Juan Capistrano  
County of Orange  
Orange County Flood Control 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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