



October 25, 2023

Mr. David Burhenn  
Burhenn & Gest, LLP  
12401 Wilshire Blvd., Suite 200  
Los Angeles, CA 90025

*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

**Re: Notice of Extension Request Approval**

*California Regional Water Quality Control Board, San Diego Region,  
Order No. R9-2010-0016, 11-TC-03*  
California Regional Water Quality Control Board, San Diego Region, Order No.  
R9-2010-0016, Sections D.2., G.1.d., G.3.-5., K.3.c.1.-4., and Attachment E.,  
Section II.E.2.-5

Dear Mr. Burhenn:

On October 23, 2023, the Commission on State Mandates (Commission) received Claimants' request for extension of time to file comments on the Draft Expedited Parameters and Guidelines on the above-entitled matter, currently due no later than 5:00 pm on October 24, 2023.

Specifically, the request states that a 21-day extension of time, to November 14, 2023, to submit comments is required because Claimants are still reviewing and require additional time to determine whether to file comments due to the complexity of the Parameters and Guidelines and underlying Test Claim.

Section 1187.9(a) of the Commission's regulations provides 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, proposed a new date for filing, and be certified, filed, and served in accordance with section 1181.3 of these regulations. If representations of fact are made, they shall be supported by documentary or testimonial evidence in accordance with section 1187.5 of these regulations. So long as a postponement of 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. A party to a matter may request an extension of time that would necessitate rescheduling a hearing, but shall also include a request for postponement of the hearing, pursuant to subdivision (b) of this section.

Therefore, comments on the Draft Proposed Decision are now due by **5:00 pm on November 14, 2023.**

Please note, as is indicated on the transmittal for the Draft Expedited Parameters and Guidelines, if there are no substantive comments filed by the comment deadline, then no Draft Proposed Decision will be prepared or issued for comment and the matter will be set for the next regularly scheduled hearing, January 26, 2024, pursuant to section 1183.9(d) of the Commission's regulations. If comments are filed, 1183.8(f) of the Commission's regulations provides for a 15-day rebuttal period. If substantive

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comments are filed, Commission staff will review the Draft Expedited Parameters and Guidelines, comments, and any rebuttals and will prepare a Draft Proposed Decision and Parameters and Guidelines, which will then be issued for an additional 21-day comment period pursuant to section 1183.13(b) of the Commission's regulations, in which case it will be set for a later hearing. Then, after review of the comments on the Draft Proposed Decision and Parameters and Guidelines, Commission staff will prepare a Proposed Decision and Parameters and Guidelines, which will be issued approximately two-weeks prior to the hearing date.

This matter remains tentatively set for hearing on **January 26, 2024**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Halsey", written in a cursive style.

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 October 25, 2023, I served the:

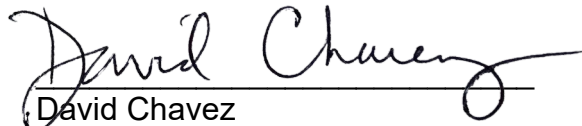
- **Current Mailing List dated October 23, 2023**
- **Notice of Extension Request Approval issued October 25, 2023**
- **Claimant's Request for Extension of Time filed October 23, 2023**

*California Regional Water Quality Control Board, San Diego Region,  
Order No. R9-2010-0016, 11-TC-03*

California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016, Sections D.2., G.1.d., G.3.-5., K.3.c.1.-4., and Attachment E., Section II.E.2.-5

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 October 25, 2023 at Sacramento, California.



David Chavez  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 10/23/23

**Claim  
Number:** 11-TC-03

**Matter:** California Regional Water Quality Control Board, San Diego  
Region, Order No. R9-2010-0016

**Claimants:** City of Murrieta  
City of Temecula  
City of Wildomar  
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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