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**RECEIVED**  
March 07, 2017  
**Commission on  
State Mandates**

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March 3, 2017

VIA DROP BOX

Ms. Heather Halsey  
Executive Director  
Commission on State Mandates  
980 9<sup>th</sup> Street, Suite 300  
Sacramento, CA 95814

Re: *San Diego Region, Order No. R9-2015-0100 and Order No. R9-2015-0001, 15-TC-02, Request for Extension of Time to File Rebuttal Comments*

Dear Ms. Halsey:

I am writing this letter on behalf of joint test claimants County of Orange, Orange County Flood Control District and the Cities of Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente and San Juan Capistrano ("Joint Test Claimants") to request an extension of time to **June 9, 2017** for the filing of rebuttal comments on the test claim. I am the designated Claimant Representative for all Joint Test Claimants.

The Department of Finance ("DoF") filed its comments on the test claim on February 7, 2017 and the State Water Resources Control Board and the San Diego Water Board ("Water Boards") filed their comments on February 16. The Commission had provided the DoF and the Water Boards extensions of 120 and 129 days, respectively, for the filing of these comments.

The Joint Test Claimants request an extension of 92 days and 85 days, respectively, to file rebuttals to the comments of the DoF and the Water Boards, which would make the filing due on June 9. The Joint Test Claimants intend to file a single set of rebuttal comments responding to both sets of State comments.

As you know, the Commission is scheduled to hear this test claim on July 27, 2018. Commission staff will be processing numerous other test claims that will be heard before this one. The extension sought in this letter therefore will not delay the work of

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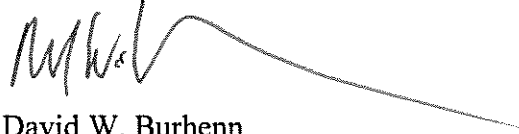
Ms. Heather Halsey  
Page 2  
March 3, 2017

your staff in its consideration of this test claim or require a postponement of the hearing date. Similarly, there would be no prejudice to any party or interested party from the requested extension.

Pursuant to 2 Cal. Code Reg. § 1187.9(a), so long as a postponement of the 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 shall be approved.

The Joint Test Claimants therefore respectfully request that their rebuttal comments on the joint test claim be due no later than **June 9, 2017**. Thank you in advance for your consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read 'DW Burhenn', with a long horizontal flourish extending to the right.

David W. Burhenn

DB:dwb

**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 March 9, 2017, I served the:

**Claimants' Request for Extension to File Rebuttal Comments and  
Notice of Limited Approval of Extension Request**

*San Diego Region Order No. R9-2015-0100 and Order No. R9-2015-0001, 15-TC-02  
California Regional Water Quality Control Board, San Diego Region,  
Order No. R9-2015-0100, an Order Amending Order No. R9-2013-0001,  
NPDES No. CAS0109266, as Amended by Order No. R9-2015-0001,  
Adopted on November 18, 2015*

County of Orange, Orange County Flood Control District, and the Cities of  
Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Lake Forest,  
Mission Viejo, Rancho Santa Margarita, San Clemente, and San Juan Capistrano,  
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 March 9, 2017 at Sacramento, California.



Jill L. Magee  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 2/28/17

**Claim Number:** 15-TC-02

**Matter:** San Diego Region Order No. R9-2015-0100 and Order No. R9-2015-0001

**Claimants:** City of Aliso Viejo  
City of Dana Point  
City of Laguna Beach  
City of Laguna Hills  
City of Laguna Niguel  
City of Lake Forest  
City of Mission Viejo  
City of Rancho Santa Margarita  
City of San Clemente  
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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