



November 29, 2016

Ms. Catherine George Hagan  
State Water Resources Control Board  
c/o San Diego Regional Water Quality Control Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108

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

**RE: Notice of 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

Dear Ms. Hagan:

On November 23, 2016, the Commission on State Mandates (Commission) received your second request for an extension of time to submit comments on the above-named Test Claim. Specifically, you request a minimum 60-day extension indicating concurrent significant workload and pre-planned vacation during the winter holidays of staff assigned to this matter.

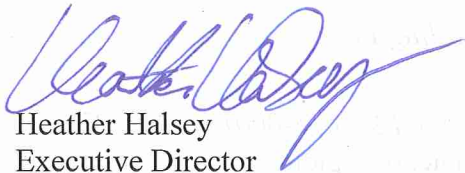
As you may be aware, delay is not favored by the Commission. Moreover, the continuous requests for extensions and requests for lengthy extensions which were routinely granted in the past, when the Commission had a backlog and the Los Angeles stormwater case was pending litigation, will no longer be granted as a matter of course, but only if they would truly not delay the preparation of the proposed decision, thus requiring a postponement, or if good cause is shown for the postponement.

Nonetheless, section 1187.9(a) of the Commission's regulations provide that so 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, the request shall be approved. There has already been a 60-day extension granted for this matter; and another 60-day extension results in five times the time allowed to parties generally for written comments on a test claim or claimant rebuttal to written comments pursuant to sections 1183.2(b) and 1183.3(a) respectively of Commission regulations.

Ms. Hagan  
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Accordingly and pursuant to the duty imposed under Government Code section 17530 for the executive director to expedite all matters within the jurisdiction of the Commission, the extension request is approved for 60 days from the existing December 9, 2016 due date. Therefore, comments concerning the test claim from all parties, interested parties, and interested persons are now due **February 7, 2017**. Please note that any additional requests for extension will be disfavored as will future requests for 60-day extensions generally.

Sincerely,



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 November 29, 2016, I served the:

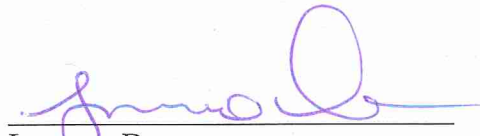
**Request for Extension and Approval of Extension Request**

*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,  
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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 November 29, 2016 at Sacramento, California.



Lorenzo Duran  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 11/21/16

**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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