



## State Water Resources Control Board

March 6, 2023

**RECEIVED**  
March 06, 2023  
**Commission on  
State Mandates**

### VIA DROP BOX

Heather Halsey  
Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
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*California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2021-0105, 22-TC-01*

Los Angeles Regional Water Quality Control Board Order No. R4-2021-0105: Parts III.A.1, A.3.a, A.3.b, A.5.a, A.5.b, A.5.c, A.6; Parts IV.A.2 and B and Attachments J through S (except Attachments K, L and N); Part VII and Attachment E; Parts VIII.D.1, D.3, D.4; Parts VIII.F.3.c.i, F.3.c.ii, F.3.c.iii; Parts VIII.G.4.a, G.5.a, G.5.b.i, G.5.b.ii; Parts VIII.H.2 and H.5.b; and Parts VIII.I.5, I.6, I.8., effective September 11, 2021 County of Los Angeles and Los Angeles County Flood Control District, Claimants

### REQUEST FOR 60-DAY EXTENSION OF TIME TO SUBMIT COMMENTS

Dear Ms. Halsey:

By letter dated October 14, 2022, the Commission on State Mandates (Commission) issued a Notice of Complete Joint Test Claim, Schedule for Comments, and Notice of Tentative Hearing Date for the above Test Claim (Notice). The Notice requested parties, interested parties, and interested persons to analyze the merits of the Test Claim and submit written comments by November 14, 2022. The Notice also indicated that the public hearing on the Test Claim is tentatively scheduled for September 22, 2023. In response to the Notice, the State Water Resources Control Board (State Water Board) and Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) (collectively Water Boards) sought a 91-day extension of time to submit written comments, which would have extended the deadline to Monday February 13, 2023. In a letter dated October 31, 2022, the Commission approved a 60-day extension that extended the deadline from November 14, 2022 to January 13, 2023. On January 6, 2023, the Water Boards requested a second 60-day extension of time to submit written comments. In that same letter, the Water Boards also requested a postponement of the tentative September 22, 2023 hearing date for good cause. On January 9, 2023, the Commission approved the 60-day extension to submit comments and the request to postpone the hearing. The new deadline to submit comments was set for March 14,

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

2023 and the hearing was tentatively scheduled for Friday, December 1, 2023. The Water Boards are preparing its comments and respectfully request approval of a third 60-day extension to submit its comments by no later than **May 15, 2023** as explained below. This is a timely request as it is being made before the date set for filing comments or rebuttals. (Cal. Code Regs., tit. 2, § 1187.9(a).)


Section 1187.9, subdivision (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 Water Boards request until **May 15, 2023** to submit comments because the Test Claim raises numerous and complex issues and is over 2,000 pages long including attachments. As stated in my previous extension requests, due to the complexity and length of the Test Claim, considerable staff and attorney time is needed to analyze the merits of the Test Claim, research and provide comments. The staff responsible for responding to the Test Claim have a number of other priority duties that limit our ability to exclusively work on this matter, including preparing orders for consideration by the Water Boards at their monthly meetings and working with the Attorney General's office on existing litigation matters. The Water Boards request additional time to respond to the Test Claim due to staff workload, which currently includes several complex permitting and enforcement matters, as well as significant staffing changes at the Water Boards, including hiring a new Los Angeles Water Board's Executive Officer. Extending the deadline for comments on the Test Claim will allow the Water Boards the necessary time to prepare responses on this Test Claim. The Water Boards are not aware of any prejudice to any party or interested person or any other good reason that the request for more time should not be granted. Accordingly, the Water Boards respectfully ask that you approve this request and extend the deadline to submit written comments to May 15, 2023.

The Water Boards appreciate your consideration of this request for extension of the comment deadline and postponement of the hearing. Please let me know if you have any questions. I can be reached at (916) 322-3313 or by e-mail at [Adriana.Nunez@waterboards.ca.gov](mailto:Adriana.Nunez@waterboards.ca.gov).

I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge, information, or belief.

Sincerely,



Adriana Nuñez  
Attorney III

cc: Service List [via Commission Drop Box]



**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 6, 2023, I served the:

- **Notice of Extension Request Approval issued March 6, 2023**
- **Water Boards' Request for Extension of Time filed March 6, 2023**

*California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2021-0105, 22-TC-01*

Los Angeles Regional Water Quality Control Board Order No. R4-2021-0105: Parts III.A.1, A.3.a, A.3.b, A.5.a, A.5.b, A.5.c, A.6; Parts IV.A.2 and B and Attachments J through S (except Attachments K, L and N); Part VII and Attachment E; Parts VIII.D.1, D.3, D.4; Parts VIII.F.3.c.i, F.3.c.ii, F.3.c.iii; Parts VIII.G.4.a, G.5.a, G.5.b.i, G.5.b.ii; Parts VIII.H.2 and H.5.b; and Parts VIII.I.5, I.6, I.8., effective September 11, 2021  
County of Los Angeles and Los Angeles County Flood Control District, 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 6, 2023 at Sacramento, California.



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# COMMISSION ON STATE MANDATES

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**Claim Number:** 22-TC-01

**Matter:** California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2021-0105

**Claimants:** County of Los Angeles  
Los Angeles 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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