

BURHENN & GEST LLP  
624 SOUTH GRAND AVENUE  
SUITE 2200  
LOS ANGELES, CALIFORNIA 90017-3321  
(213) 688-7715  
FACSIMILE (213) 624-1376

**RECEIVED**  
April 11, 2017  
**Commission on  
State Mandates**

WRITER'S DIRECT NUMBER  
(213) 629-8788

WRITER'S E-MAIL ADDRESS  
dburhenn@burhennigest.com

April 11, 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: *Santa Ana Region Water Permit – County of San Bernardino, 10-TC -  
10, Request for Extension of Time to Respond to Notice of Incomplete  
Test Claim*

Dear Ms. Halsey:

I am writing this letter on behalf of test claimants County of San Bernardino, San Bernardino County Flood Control District, and the Cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Highland, Montclair, Ontario and Rancho Cucamonga (co-claimants) to request an extension of time to **June 9, 2017** to respond to the Notice of Incomplete Test Claim dated April 6, 2017 (“Notice”).

The Notice indicated that to preserve the original filing date, a response must be filed by May 8. I am writing to advise that I will be out of the country from May 1 through May 16 and that my firm is currently working on several submittals to the Commission on various test claims, including submittals presently also due on May 8. Additionally, the issues raised by the Notice, the number of test claimants (11), and the passage of time since the filing of the test claim all will require substantial effort by the co-claimants. While we are working diligently to ensure the timely filing of all such submittals, due to my absence and the workload imposed on our firm and the co-claimants, we respectfully request on behalf of the co-claimants an extension to **June 9, 2017** for the submittal of the response.

As you know, the Commission is scheduled to hear this test claim on March 23, 2018. While we are fully cognizant of the Commission’s desire to have prompt submissions in all test claims before it, we respectfully suggest that the short extension sought in this letter will not delay the work of your staff in its consideration of this test

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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 co-claimants therefore respectfully request that their responses to the Notice of Incomplete 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 "David W. 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:

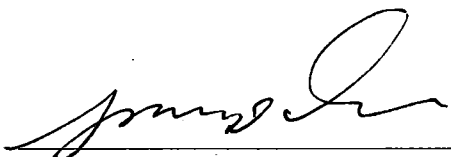
I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On April 13, 2017, I served the:

**Extension Request and Notice of Extension Request Approval**  
*Santa Ana Region Water Permit – County of San Bernardino, 10-TC-10*  
County of San Bernardino, San Bernardino County Flood Control District,  
Cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Highland,  
Montclair, Ontario, and Rancho Cucamonga, 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 April 13, 2017 at Sacramento, California.



Lorenzo Duran  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 4/12/17

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

**Matter:** Santa Ana Region Water Permit - County of San Bernardino

**Claimants:** City of Big Bear Lake  
City of Chino  
City of Chino Hills  
City of Colton  
City of Fontana  
City of Highland  
City of Montclair  
City of Ontario  
City of Rancho Cucamonga  
County of San Bernardino  
San Bernardino 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.)

**Socorro Aquino**, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

**Harmeet Barkschat**, *Mandate Resource Services, LLC*

5325 Elkhorn Blvd. #307, Sacramento, CA 95842

Phone: (916) 727-1350

harmeet@calsdrc.com

**Lacey Baysinger**, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

lbaysinger@sco.ca.gov

**Shanda Beltran**, General Counsel, *Building Industry Legal Defense Foundation*

Building Association of Southern California, 17744 Sky Park Circle, Suite 170, Irvine, CA 92614

Phone: (949) 553-9500

sbeltran@biasec.org

**Kurt Berchtold**, Executive Officer, *Santa Ana Regional Water Quality Control Board*  
3737 Main Street, Suite 500, Riverside, CA 92501-3348  
Phone: (951) 782-3286  
kberchtold@waterboards.ca.gov

**Cindy Black**, City Clerk, *City of St. Helena*  
1480 Main Street, St. Helena, CA 94574  
Phone: (707) 968-2742  
cityclerk@cityofstheleena.org

**Allan Burdick**,  
7525 Myrtle Vista Avenue, Sacramento, CA 95831  
Phone: (916) 203-3608  
allanburdick@gmail.com

**J. Bradley Burgess**, *MGT of America*  
895 La Sierra Drive, Sacramento, CA 95864  
Phone: (916) 595-2646  
Bburgess@mgtamer.com

**David Burhenn**, *Burhenn & Gest, LLP*  
**Claimant Representative**  
624 South Grand Avenue, Suite 2200, Los Angeles, CA 90017  
Phone: (213) 629-8788  
dburhenn@burhenngest.com

**Gwendolyn Carlos**, *State Controller's Office*  
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 323-0706  
gcarlos@sco.ca.gov

**Daniel Carrigg**, Deputy Executive Director/Legislative Director, *League of California Cities*  
1400 K Street, Suite 400, Sacramento, CA 95814  
Phone: (916) 658-8222  
Dcarrigg@cacities.org

**Annette Chinn**, *Cost Recovery Systems, Inc.*  
705-2 East Bidwell Street, #294, Folsom, CA 95630  
Phone: (916) 939-7901  
achinnrcs@aol.com

**Carolyn Chu**, Senior Fiscal and Policy Analyst, *Legal Analyst's Office*  
925 L Street, Sacramento, CA 95814  
Phone: (916) 319-8326  
Carolyn.Chu@lao.ca.gov

**Michael Coleman**, *Coleman Advisory Services*  
2217 Isle Royale Lane, Davis, CA 95616  
Phone: (530) 758-3952  
coleman@muniil.com

**Mike Cory**, Acting Public Works & Utility Services Director, *City of Colton*  
650 N La Cadena Dr, Colton, CA 92324  
Phone: (909) 370-5065  
mcory@coltonca.gov

**Anita Dagan**, Manager, Local Reimbursement Section, *State Controller's Office*  
Local Government Programs and Services Division, Bureau of Payments, 3301 C Street, Suite 740,

Sacramento, CA 95816  
Phone: (916) 324-4112  
Adagan@sco.ca.gov

**Marieta Delfin**, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 322-4320  
mdelfin@sco.ca.gov

**Gregory Devereaux**, Chief Executive Officer, *County of San Bernardino*

San Bernardino County Flood Control District, 385 North Arrowhead Avenue, Fifth Floor, San Bernardino, CA 92415-0120  
Phone: (909) 387-5417  
gdevereaux@cao.sbcounty.gov

**Donna Ferebee**, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814  
Phone: (916) 445-3274  
donna.ferebee@dof.ca.gov

**Michael Fleager**, City Manager, *City of Chino Hills*

14000 City Center Drive, Chino Hills, CA 91709  
Phone: (909) 364-2600  
mfleager@chinohills.org

**Susan Geanacou**, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814  
Phone: (916) 445-3274  
susan.geanacou@dof.ca.gov

**Dillon Gibbons**, Legislative Representative, *California Special Districts Association*

1112 I Street Bridge, Suite 200, Sacramento, CA 95814  
Phone: (916) 442-7887  
dillong@csda.net

**Patrick Glover**, City Manager, *City of Chino*

13220 Central Avenue, Chino, CA 91710  
Phone: (909) 591-9806  
pglover@cityofchino.org

**Catherine George Hagan**, Senior Staff Counsel, *State Water Resources Control Board*

c/o San Diego Regional Water Quality Control Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108  
Phone: (619) 521-3012  
catherine.hagan@waterboards.ca.gov

**Heather Halsey**, Executive Director, *Commission on State Mandates*

980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
heather.halsey@esm.ca.gov

**Sunny Han**, Project Manager, *City of Huntington Beach*

2000 Main Street, Huntington Beach, CA 92648  
Phone: (714) 536-5907  
Sunny.han@surfcity-hb.org

**Chris Hill**, Principal Program Budget Analyst, *Department of Finance*

Local Government Unit, 915 L Street, Sacramento, CA 95814

Phone: (916) 445-3274  
Chris.Hill@dof.ca.gov

**Dorothy Holzem**, Legislative Representative, *California State Association of Counties*  
1100 K Street, Suite 101, Sacramento, CA 95814  
Phone: (916) 327-7500  
dholzem@counties.org

**Justyn Howard**, Program Budget Manager, *Department of Finance*  
915 L Street, Sacramento, CA 95814  
Phone: (916) 445-1546  
justyn.howard@dof.ca.gov

**Thomas Howard**, Executive Director, *State Water Resources Control Board*  
P.O. Box 2815, Sacramento, CA 95812-2815  
Phone: (916) 341-5599  
thoward@waterboards.ca.gov

**Michael Hudson**, City Engineer, *City of Montclair*  
5111 Benito Street, Montclair, CA 91763  
Phone: (909) 625-9441  
mhudson@cityofmontclair.org

**Joseph Hughes**, City Manager, *City of Highland*  
27215 Base Line, Highland, CA 92346  
Phone: (909) 864-6861  
jhughes@cityofhighland.org

**Chris Hughes**, City Manager, *City of Ontario*  
393 E. B Street, Ontario, CA 91764  
Phone: (909) 395-2555  
chughes@ci.ontario.ca.us

**Kenneth Hunt**, City Manager, *City of Fontana*  
8353 Sierra Avenue, Fontana, CA 92335  
Phone: (909) 350-7653  
khunt@fontana.org

**Mark Ibele**, *Senate Budget & Fiscal Review Committee*  
California State Senate, State Capitol Room 5019, Sacramento, CA 95814  
Phone: (916) 651-4103  
Mark.Ibele@sen.ca.gov

**Amer Jakher**, Director of Public Works, *City of Beaumont*  
550 E. Sixth Street, Beaumont, CA 92223  
Phone: (951) 769-8520  
Ajakher@ci.beaumont.ca.us

**Edward Jewik**, *County of Los Angeles*  
Auditor-Controller's Office, 500 W. Temple Street, Room 603, Los Angeles, CA 90012  
Phone: (213) 974-8564  
ejewik@auditor.lacounty.gov

**Jill Kanemasu**, *State Controller's Office*  
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 322-9891  
jkanemasu@sco.ca.gov

**Anne Kato**, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 324-5919  
akato@sco.ca.gov

**Anita Kerezi, AK & Company**  
3531 Kersey Lane, Sacramento, CA 95864  
Phone: (916) 972-1666  
akcompany@um.att.com

**Jack Lam, City Manager, City of Rancho Cucamonga**  
10500 Civic Center Drive, Rancho Cucamonga, CA 91730  
Phone: (909) 477-2700  
jack.lam@cityofrc.us

**Michael Lauffer, Chief Counsel, State Water Resources Control Board**  
1001 I Street, 22nd Floor, Sacramento, CA 95814-2828  
Phone: (916) 341-5183  
mlauffer@waterboards.ca.gov

**David Lawrence, Director of Public Works/City Engineer, City of Big Bear Lake**  
P.O. Box 10000, 39707 Big Bear Blvd., Big Bear Lake, CA 92315-8900  
Phone: (909) 866-5831  
dlawrence@citybigbearlake.com

**Hortensia Mato, City of Newport Beach**  
100 Civic Center Drive, Newport Beach, CA 92660  
Phone: (949) 644-3000  
hmato@newportbeachca.gov

**Michelle Mendoza, MAXIMUS**  
17310 Red Hill Avenue, Suite 340, Irvine, CA 95403  
Phone: (949) 440-0845  
michellemendoza@maximus.com

**Meredith Miller, Director of SB90 Services, MAXIMUS**  
3130 Kilgore Road, Suite 400, Rancho Cordova, CA 95670  
Phone: (972) 490-9990  
meredithmiller@maximus.com

**Geoffrey Neill, Senior Legislative Analyst, Revenue & Taxation, California State Association of Counties (CSAC)**  
1100 K Street, Suite 101, Sacramento, CA 95814  
Phone: (916) 327-7500  
gneill@counties.org

**Andy Nichols, Nichols Consulting**  
1857 44th Street, Sacramento, CA 95819  
Phone: (916) 455-3939  
andy@nichols-consulting.com

**Adriana Nunez, Staff Counsel, State Water Resources Control Board**  
P.O. Box 100, Sacramento, CA 95812  
Phone: (916) 322-3313  
Adriana.nunez@waterboards.ca.gov

**Lori Okun, Assistant Chief Counsel, State Water Resources Control Board**  
Regional Water Board Legal Services, 1001 I Street, Sacramento, CA 95814



Phone: (916) 341-5165  
Lori.Okun@waterboards.ca.gov

**Arthur Palkowitz**, *Artiano Shinoff*  
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106  
Phone: (619) 232-3122  
apalkowitz@as7law.com

**Steven Pavlov**, Budget Analyst, *Department of Finance*  
Local Government Unit, 915 L Street, Sacramento, CA 95814  
Phone: (916) 445-3274  
Steven.Pavlov@dof.ca.gov

**Jai Prasad**, *County of San Bernardino*  
Office of Auditor-Controller, 222 West Hospitality Lane, 4th Floor, San Bernardino, CA 92415-0018  
Phone: (909) 386-8854  
jai.prasad@atc.sbcounty.gov

**Mark Rewolinski**, *MAXIMUS*  
808 Moorefield Park Drive, Suite 205, Richmond, VA 23236  
Phone: (949) 440-0845  
markrewolinski@maximus.com

**David Rice**, *State Water Resources Control Board*  
1001 I Street, 22nd Floor, Sacramento, CA 95814  
Phone: (916) 341-5161  
davidrice@waterboards.ca.gov

**Nick Romo**, Policy Analyst, *League of California Cities*  
1400 K Street, Suite 400, Sacramento, CA 95814  
Phone: (916) 658-8254  
nromo@cacities.org

**Camille Shelton**, Chief Legal Counsel, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
camille.shelton@esm.ca.gov

**Carla Shelton**, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 327-6490  
carla.shelton@esm.ca.gov

**Jim Spano**, Chief, Mandated Cost Audits Bureau, *State Controller's Office*  
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 323-5849  
jspano@sco.ca.gov

**Dennis Speciale**, *State Controller's Office*  
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 324-0254  
DSpeciale@sco.ca.gov

**Tracy Sullivan**, Legislative Analyst, *California State Association of Counties (CSAC)*  
Government Finance and Administration, 1100 K Street, Suite 101, Sacramento, CA 95814  
Phone: (916) 650-8124  
tsullivan@counties.org

**Jolene Tollenaar**, *MGT of America*  
2251 Harvard Street, Suite 134, Sacramento, CA 95815  
Phone: (916) 443-411  
jolene\_tollenaar@mgtamer.com

**Evelyn Tseng**, *City of Newport Beach*  
100 Civic Center Drive, Newport Beach, CA 92660  
Phone: (949) 644-3127  
etseng@newportbeachca.gov

**Renee Wellhouse**, *David Wellhouse & Associates, Inc.*  
3609 Bradshaw Road, H-382, Sacramento, CA 95927  
Phone: (916) 797-4883  
dwa-renee@surewest.net

**Jennifer Whiting**, Assistant Legislative Director, *League of California Cities*  
1400 K Street, Suite 400, Sacramento, CA 95814  
Phone: (916) 658-8249  
jwhiting@cacities.org

**Patrick Whitnell**, General Counsel, *League of California Cities*  
1400 K Street, Suite 400, Sacramento, CA 95814  
Phone: (916) 658-8281  
pwhitnell@cacities.org

**Hasmik Yaghobyan**, *County of Los Angeles*  
Auditor-Controller's Office, 500 W. Temple Street, Room 603, Los Angeles, CA 90012  
Phone: (213) 974-9653  
hyaghobyan@auditor.lacounty.gov