



October 19, 2018

Ms. Teresita J. Sablan
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814

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

RE: Notice of Extension Request Approval

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Brea, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-07
City of Brea, Claimant*

Dear Ms. Sablan:

On October 16, 2018, the Commission on State Mandates (Commission) received the State Water Resources Control Board's and the Santa Ana Regional Water Quality Control Board's (Water Boards') request for an extension of time to file comments on the above-named Test Claim and the administrative records on the above-named Order.

Specifically, the Water Boards request a 60-day extension to develop complete and thorough written comments that consider the merits of the City of San Juan Capistrano's challenge to the San Diego Water Board's Order implementing the Trash Amendments in 17-TC-05 and other test claims challenging similar Regional Water Board orders and to compile the administrative records, which is time and resource intensive, since the Water Boards have not previously prepared a record for the development and adoption of this Order. In addition, competing work priorities associated with significant permitting and cleanup matters, basin plan amendments, as well as an upcoming board meeting on October 19, 2018 limit staff availability to work on test claim matters.

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.

Therefore, the Water Boards' comments on the Test Claim and administrative records on the Order are now due **December 28, 2018**. The claimant's rebuttal comments are now due 30 days from the service of the Water Boards' comments and administrative records.

This matter remains tentatively set for hearing on **January 24, 2020**.

Sincerely,

Heather Halsey
Executive Director

Water Boards ask that you approve this request and extend the deadline to file comments and submit the administrative record(s) to December 28, 2018.

Thank you for your consideration of this request. If you have any questions, I can be reached at (916) 341-5174 or by email at Teresita.Sablan@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Teresita Sablan', with a long horizontal flourish extending to the right.

Teresita J. Sablan
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 October 19, 2018, I served the:

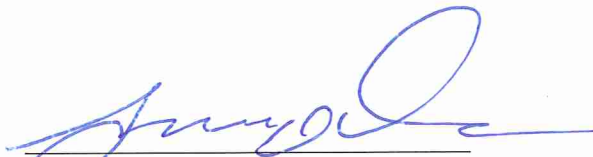
- **Notice of Extension Request Approval issued October 19, 2018**
- **State Water Resources Control Board's (SWRCB's) and Santa Ana Regional Water Quality Control Board's (SARWQCB'S) Request for Extension of Time filed October 16, 2018**

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Brea,
Santa Ana Regional Water Quality Control Board, Effective June 2, 2017,
17-TC-07*

City of Brea, Claimant

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 19, 2018 at Sacramento, California.



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

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/16/18

Claim Number: 17-TC-07

Matter: Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Brea, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017

Claimant: City of Brea

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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