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August 22, 2023

Via Drop Box

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

Re: Notice of Agreement to Change of Claim Representative, California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11

Dear Ms. Halsey:

Pursuant to Cal. Code Regs. tit. 2, § 1187.8 (a), we are writing as outgoing and incoming Claim Representatives for Claimants in the above-referenced Joint Test Claim to provide notice of Claimants' agreement to substitute Howard Gest of the law firm of Burhenn & Gest, Esq. in place of David W. Burhenn of the same law firm as Claim Representative. Section 1187.8(a) directs that notice of such change should be certified, filed and served as provided in Cal. Code Regs. tit. 2, § 1181.3.

Attached to this letter is the Notice of Agreement by Claimants to substitute Mr. Gest as Claim Representative, along with signed and certified statements signed by representatives of each Claimant consenting to such substitution.

Please contact Mr. Gest if you or your staff have any questions. Mr. Gest will be serving as Claim Representative in this matter from this date forward. Thank you.

BURHENN & GEST LLP

Ms. Heather Halsey

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August 22, 2023

We declare under penalty of perjury that the foregoing, signed on August 22, 2023, is true and correct to the best of our personal knowledge, information, or belief.



David W. Burhenn
Outgoing Claim Representative
Address, phone and e-mail set forth above



Howard Gest
Incoming Claim Representative
Address as set forth above
(213) 629-8787
hgest@burhenngest.com

NOTICE OF AGREEMENT TO CHANGE OF CLAIM REPRESENTATIVE

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,

SAN DIEGO REGION, Order No. R9-2009-0002

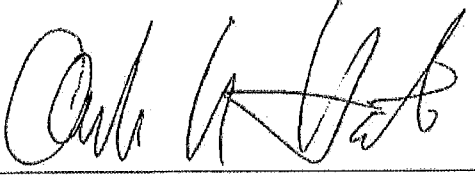
Test Claim 10-TC-11

The undersigned representatives of Claimants in the above-referenced Joint Test Claim hereby agree to the substitution of Howard Gest, Esq. of Burhenn & Gest LLP as Claim Representative with respect to the Joint Test Claim in the place of David W. Burhenn, Esq. of Burhenn & Gest LLP.

Each of our signatures is affixed to this document.

COUNTY OF ORANGE

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By: 

Andrew N. Hamilton, CPA, Auditor-Controller

Date: July 12, 2023

1770 N. Broadway, Santa Ana, CA
714-834-2450
acadmin@ac.ocgov.com

ORANGE COUNTY FLOOD CONTROL DISTRICT

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By: Kevin Onuma

Kevin Onuma, P.E., Chief Engineer

Date: July 13, 2023

601 N. Ross Street, Santa Ana, CA 92701

714-647-3939

kevin.onuma@ocpw.ocgov.com

CITY OF DANA POINT

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By:



Mike Killebrew, City Manager

Date: July 11, 2023

33282 Golden Lantern St., Dana Point, CA 92629

949-248-3513

mkillebrew@danapoint.org

CITY OF LAGUNA HILLS

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By: _____

Jarad Hildenbrand, City Manager

Dated: July 24, 2023

24035 El Toro Road, Laguna Hills, CA 92653

949-707-2620

jhildenbrand@lagunahillsca.gov

CITY OF LAGUNA NIGUEL

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By: Tamara S. Letourneau

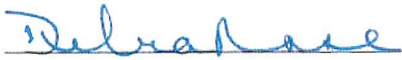
Tamara S. Letourneau, City Manager

Dated: August 17 2023

30111 Crown Valley Parkway, Laguna Niguel, CA 92677
949-362-4373
tletourneau@cityoflagunaniguel.org

CITY OF LAKE FOREST

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By: 

Debra Rose, City Manager

Date: August 9, 2023

100 Civic Center Dr., Lake Forest, CA 92630
(949) 461-3400
drose@lakeforestca.gov

CITY OF MISSION VIEJO

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By: _____

Dennis Wilberg, City Manager

Date: July 31, 2023

200 Civic Center, Mission Viejo, CA 92691


949-470-3051

dwilberg@cityofmissionviejo.org

cityadmin@cityofmissionviejo.org

CITY OF SAN JUAN CAPISTRANO

I declare under penalty of perjury that the foregoing, signed on the date set forth below, is true and correct to the best of my personal knowledge, information, or belief.

By: 
Benjamin Siegel, City Manager

Date: July 31, 2023

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949-234-4563
bsiegel@sanjuancapistrano.org

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 August 24, 2023, I served the:

- **Current Mailing List dated August 24, 2023**
- **Notice of Change of Representation filed August 22, 2023**

*California Regional Water Quality Control Board, San Diego Region,
Order No. R9-2009-0002, Sections B.2.; C.; D.; F.1.d.; F.1.d.7.i.; F.1.f.; F.1.h.;
F.3.a.4.c.; F.3.d.; F.4.b.; F.4.d.; F.4.e.; G.6.; I.; J.; K.1.b.4.n.; and, Only as They
Relate to the Reporting Checklist, Section K.3.a. and Attachment D,¹ Adopted
December 16, 2009, 10-TC-11*

Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo,
San Juan Capistrano, the County of Orange, and the Orange 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 August 24, 2023 at Sacramento, California.

David Chavez

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

¹ Government Code section 17553(b)(1) requires test claims to identify the specific sections of the executive order alleged to contain a mandate and a detailed description of the new activities mandated by the state. Only the sections indicated in this caption, and Section K.3.a. and Attachment D only as they relate to the reporting checklist, have been properly pled.

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 8/24/23

**Claim
Number:** 10-TC-11

Matter: California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, Sections B.2.; C.; D.; F.1.d.; F.1.d.7.i.; F.1.f.; F.1.h.; F.3.a.4.c.; F.3.d.; F.4.b.; F.4.d.; F.4.e.; G.6.; I.; J.; K.1.b.4.n.; and, Only as They Relate to the Reporting Checklist, Section K.3.a. and Attachment D, Adopted December 16, 2009

Claimants: City of Dana Point
City of Laguna Hills
City of Laguna Niguel
City of Lake Forest
City of Mission Viejo
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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