



February 27, 2019

Ms. Elizabeth Calciano  
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2000 Main Street  
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Mr. John Kappeler  
City of Newport Beach  
100 Civic Center Drive  
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Mr. Gonzalo Vazquez  
City of Cypress  
5275 Orange Ave.  
Cypress, CA 90630

Mr. Wayne Winthers  
City of Orange  
300 E. Chapman Avenue  
Orange, CA 92886

*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 Cypress, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-08  
City of Cypress, Claimant*

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Huntington Beach, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-09  
City of Huntington Beach, Claimant*

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Newport Beach, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-10  
City of Newport Beach, Claimant*

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Orange, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-11  
City of Orange, Claimant*

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Chino Hills, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-14  
City of Chino Hills, Claimant*

Dear Ms. Calciano and Messrs. Herbel, Kappeler, Vazquez, and Winthers:

On February 25, 2019, the Commission on State Mandates (Commission) received the City of Chino Hills' request for an extension of time to file rebuttal comments to the Department of Finance's (Finance's) Late Comments on the above-named Test Claims, currently due on March 1, 2019.

Specifically, the City of Chino Hills requests to file rebuttal comments to both Finance's Late Comments on the Test Claim, served on January 30, 2019, and the Water Boards' comments on the Test Claim and administrative record on the Order, currently due on March 29, 2019, 30 days from the service of the Water Boards' comments and administrative record.

J:\MANDATES\2017\TC\17-TC-14 Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Chino Hills\Correspondence\Claimants Extok 022719.docx

Ms. Calciano and Messrs. Herbel, Kappeler, Vazquez, and Winthers

February 27, 2019

Page 2

Section 1183.3(a) of the Commission's regulations provide that written rebuttals to written comments concerning a test claim may be filed, and shall be certified, filed, and served in accordance with section 1181.3 of these regulations within 30 days of service of the written comments.

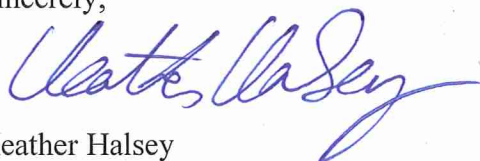
Section 1187.9(a) of the Commission's regulations provide that so long as a postponement of a hearing would not be required, there is no prejudice to any party or interested party, and there is no other good reason for denial, the request shall be approved.

Therefore, the request for extension to file all rebuttal comments until 30 days from the service of the Water Boards' comments and administrative record on the Order is granted pursuant to sections 1183.3(a) and 1187.9(a) of the Commission's regulations. In addition, while the additional above-named claimants have not yet filed a request for extension, the same extension to file rebuttal comments is also granted to the following: City of Cypress, 17-TC-08; City of Huntington Beach, 17-TC-09; City of Newport Beach, 17-TC-10; and City of Orange, 17-TC-11, for the sake of efficiency.

In addition to other matters pending before the Commission, these matters tentative hearing dates have been updated and are tentatively set for hearing as specified on the Commission's pending caseload which may be found at: [https://www.csm.ca.gov/pending\\_caseload.php](https://www.csm.ca.gov/pending_caseload.php)

Please be reminded that these Test Claims have not been consolidated, but are being addressed in this single approval letter for the sake of efficiency. The decision on whether to consolidate any or all of these matters for hearing will be made by the executive director once comments have been submitted and the records are thoroughly reviewed for analysis and hearing. Though there are likely some cross-cutting issues, it is not possible to determine the appropriateness of the proposed consolidation for purposes of the Commission's analysis and hearing, until the parties' legal arguments and any relevant evidence applicable to each Test Claim has been filed.

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 February 27, 2019, I served the:

- **Notice of Extension Request Approval issued February 27, 2019**
- **Claimant's Request for Extension of Time filed February 25, 2019**

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Cypress, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-08*  
City of Cypress, Claimant

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Huntington Beach, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-09*  
City of Huntington Beach, Claimant

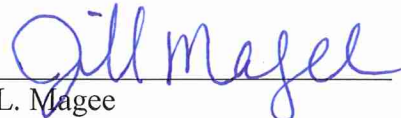
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City of Orange, Claimant

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Chino Hills, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-14*  
City of Chino Hills, 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 February 27, 2019 at Sacramento, California.



Jill L. Magee  
Commission on State Mandates  
980 Ninth Street, Suite 300  
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(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 2/26/19

**Claim Number:** 17-TC-08

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

**Claimant:** City of Cypress

### 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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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 2/12/19

**Claim Number:** 17-TC-09

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

**Claimant:** City of Huntington Beach

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# COMMISSION ON STATE MANDATES

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**Claim Number:** 17-TC-10

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

**Claimant:** City of Newport Beach

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**Claim Number:** 17-TC-11

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

**Claimant:** City of Orange

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 2/12/19

**Claim Number:** 17-TC-14

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

**Claimant:** City of Chino Hills

### 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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