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GOVERNOR



MATTHEW RODRIQUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

**RECEIVED**  
May 22, 2017  
**Commission on  
State Mandates**

May 22, 2017

**VIA DROP BOX**

Heather Halsey  
Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

*California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016, 11-TC-03*

County of Riverside, Riverside County Flood Control and Water Conservation District,  
Cities of Murrieta, Temecula and Wildomar, Co-Claimants

**REQUEST FOR EXTENSION OF TIME TO SUBMIT COMMENTS OF THE STATE WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION, AND TO SUBMIT THE ADMINISTRATIVE RECORD FOR ORDER NO. R9-2010-0016**

Dear Ms. Halsey:

By letter dated May 8, 2017, the Commission on State Mandates (Commission) issued a Notice of Complete Joint Test Claim Filing, Removal Inactive Status, Schedule for Comments, Renaming of Matter, Request for Administrative Record, and Notice of Tentative Hearing Date (Notice) in the above matter. The Notice requests that parties analyze the merits of the Test Claim and submit written comments on or before Wednesday, June 7, 2017. The Notice provides some specificity as to what analysis and discussion the comments should contain. The Notice also requests that the San California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) and State Water Resources Control Board (State Water Board) (collectively Water Boards) submit the official administrative record(s) of the underlying Municipal Separate Storm Sewer System (MS4) permit. The Notice tentatively sets the Test Claim for hearing in December 2017. The Water Boards intend to submit written comments on the Test Claim and the administrative record for the underlying MS4 permit but request a 30-day extension of time until July 7, 2017, in which to do so.

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

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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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 the extension of time for the following reasons. The underlying MS4 permit was adopted by the San Diego Water Board in December 2010. The administrative record for the permit was never prepared because, although parties to the permit filed petitions for review with the State Water Board, the permit was not taken up for review. Therefore, the board needs to prepare the record for submittal to the Commission. The Water Boards intend to review and reference portions of the administrative record in commenting on the Test Claim and therefore prefer to submit comments concurrently with submittal of the administrative record. Finally, both the staff person assigned to prepare the administrative record and assist in developing written comments and assigned counsel also have significant time-sensitive workload associated with other San Diego Water Board business. An extension of time will not require postponement of the tentative December 2017 hearing and 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.

The Water Boards appreciate your consideration of this request for extension. Please let me know if you have any questions. I can be reached at (619) 521-3012 or by e-mail at [Catherine.Hagan@waterboards.ca.gov](mailto:Catherine.Hagan@waterboards.ca.gov).

Sincerely,



Catherine George Hagan  
Senior Staff Counsel

cc: Service List [via Commission Drop Box]

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**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.

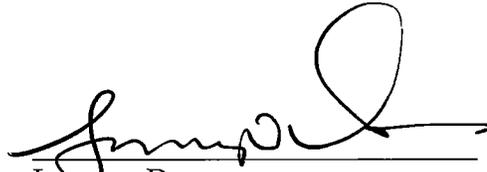
On May 24, 2017, I served the:

- Notice of Extension Request Approval issued May 24, 2017
- CRWQCB Request for Extension filed May 22, 2017

*California Regional Water Quality Control Board, San Diego Region,*  
*Order No. R9-2010-0016, 11-TC-03*  
County of Riverside, Riverside County Flood Control and Water Conservation  
District, Cities of Murrieta, Temecula, and Wildomar, 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 May 24, 2017 at Sacramento, California.



Lorenzo Duran  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 5/8/17

**Claim Number:** 11-TC-03

**Matter:** California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016

**Claimants:** City of Murrieta  
City of Temecula  
City of Wildomar  
County of Riverside  
Riverside County Flood Control and Water Conservation 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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