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ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

**RECEIVED**  
March 19, 2018  
**Commission on  
State Mandates**

March 19, 2018

VIA CSM DROPBOX

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

*CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION,  
ORDER NO. R4-2012-0175, 13-TC-01 AND 13-TC-02: REQUEST FOR ADDITIONAL THREE-  
WEEK EXTENSION OF TIME TO SUBMIT COMMENTS*

Dear Ms. Halsey:

On January 22, 2018, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) and State Water Resources Control Board (collectively, Water Boards) requested an extension of time to submit written comments in the above-referenced matter. The Commission granted that request and written comments are currently due by March 30, 2018. For the reasons described below, the Water Boards respectfully request an additional three-week extension of time to submit written comments on the Test Claims relating to the 2012 Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit, Los Angeles Water Board Order No. R4-2012-0175. If granted, the Water Boards will submit its comments no later than **April 20, 2018**.

The Water Boards request this additional extension of time to submit written comments analyzing the merits of the Test Claims for the reasons that follow. First, since January 22, 2018, when the Water Boards requested an extension to submit comments on the Test Claims, the Water Boards have experienced unanticipated litigation delays that have limited our ability to work on this matter. Litigation matters that we expected to be completed by February 2018 were unexpectedly continued to later this month and early April, requiring Board staff and I to attend multiple days of court hearings before the current written comment deadline, as well as to prepare for those court hearings in advance. Second, as I noted in my prior requests, I am the attorney assigned to Los Angeles Water Board test claim matters and am preparing comments on behalf of the Water Boards. In addition to working on test claims matters, Board staff and I are also responsible for other priority duties that limit our ability to exclusively work on this matter, including preparing orders for consideration by the Board at its monthly meetings and working with the Attorney General's Office on other existing litigation matters. Accordingly, despite our best efforts, the Water Boards are unable to prepare combined written comments on the Test Claims by March 30, 2018 as we had originally anticipated. Extending the deadline as requested will provide the Water Boards with the necessary time to submit combined comments on the Test Claims, as well as tend to our other work responsibilities.

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Section 1187.9, subdivision (a), of the Commission's regulations provides 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. The hearing on the Test Claims is tentatively scheduled for November 30, 2018. The Water Boards do not believe that postponement of the hearing will be required if this extension is granted. If, however, the Commission believes that granting this extension would constrain the time the Commission requires to prepare for hearing, the Water Boards also request a corresponding postponement of the hearing date pursuant to section 1187.9, subdivision (b), of the Commission's regulations based on consideration of the above reasons.

Therefore, for the reasons set forth above, the Water Boards respectfully request that the deadline for submission of written comments on the Test Claims be extended an additional three weeks to **April 20, 2018**. Unless there are unforeseen circumstances, the Water Boards expect this to be its last extension request for its response. The Water Boards believe that good cause exists to allow the Executive Director to grant this requested extension and appreciates your consideration of this request. Please let me know if you have any questions. I can be reached at (916) 324-6682 or at [Jennifer.Fordyce@waterboards.ca.gov](mailto:Jennifer.Fordyce@waterboards.ca.gov).

Sincerely,



Jennifer L. Fordyce  
Attorney III

cc: Service List via CSM Dropbox

**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 March 21, 2018, I served the:

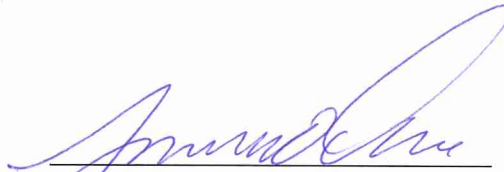
- **Notice of Extension Request Approval issued March 20, 2018**
- **SWRCB'S and LARWQCB'S Request for Extension of Time filed March 19, 2018**

*California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2012-0175, 13-TC-01 and 13-TC-02*

Cities of Agoura Hills, Bellflower, Beverly Hills, Carson, Cerritos, Commerce, Downey, Huntington Park, Lakewood, Manhattan Beach, Norwalk, Pico Rivera, Rancho Palos Verdes, Redondo Beach, San Marino, Santa Clarita, Santa Fe Springs, Signal Hill, South El Monte, Vernon, Westlake Village, and Whittier, County of Los Angeles, and Los Angeles 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 March 21, 2018 at Sacramento, California.



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**Last Updated:** 3/16/18

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**Matter:** California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2012-0175

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City of Beverly Hills  
City of Carson  
City of Cerritos  
City of Commerce  
City of Downey  
City of Huntington Park  
City of Lakewood  
City of Manhattan Beach  
City of Norwalk  
City of Pico Rivera  
City of Rancho Palos Verdes  
City of Redondo Beach  
City of San Marino  
City of Santa Clarita  
City of Santa Fe Springs  
City of Signal Hill  
City of South El Monte  
City of Vernon  
City of Westlake Village  
City of Whittier  
County of Los Angeles  
Los Angeles 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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