



March 26, 2019

Ms. Catherine George Hagan
State Water Resources Control Board
c/o San Diego Regional Water
Quality Control Board
2375 Northside Drive, Suite 100
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Ms. Teresita Sablan
State Water Resources Control Board
1001 I Street, 22nd Floor
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And Parties, Interested Parties, and Interested Persons (See Mailing List)

RE: Notice of Extension Request Approval

*California Regional Water Quality Control Board, San Diego Region,
Order No. R9-2017-0077, Sections A.1, A.3, and A.5, 17-TC-05
City of San Juan Capistrano and County of San Diego, Claimants*

*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*

*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 Seal Beach,
Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-12
City of Seal Beach, Claimant*

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Anaheim, Santa
Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-13
City of Anaheim, 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*

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Costa Mesa, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-15

City of Costa Mesa, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Garden Grove, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-16

City of Garden Grove, Claimant

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

City of Laguna Woods, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Lake Forest, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-18

City of Lake Forest, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of San Jacinto, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-19

City of San Jacinto, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Santa Ana, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-20

City of Santa Ana, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Tustin, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-21

City of Tustin, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Villa Park, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-22

City of Villa Park, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Yorba Linda, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-23

17-TC-23

City of Yorba Linda, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to County of Orange, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-24

County of Orange, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Grand Terrace, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-25

17-TC-25

City of Grand Terrace, Claimant

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Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Irvine, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-26
City of Irvine, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Placentia, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-27
City of Placentia, Claimant

Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Rialto, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-28
City of Rialto, Claimant

Dear Ms. Hagan and Ms. Sablan:

On March 20, 2019, the State Water Resources Control Board and the San Diego Regional Water Quality Control Board filed a request with the Commission on State Mandates (Commission) for a 60-day extension of time to file comments on Test Claim 17-TC-05. On March 20, 2019, the State Water Resources Control Board and the Santa Ana Regional Water Quality Control Board filed a request with the Commission for a 60-day extension of time to file comments on Test Claims 17-TC-07 through 17-TC-28, which are not currently consolidated for hearing.

Specifically, both of the requests confirm that the administrative records on the above-named Orders will be filed on or before the current deadline of **March 29, 2019**. However, the Water Boards' request an extension of time to file comments on Test Claims 17-TC-05 and 17-TC-07 through 17-TC-28 for the following reasons:

- The Water Boards intend to coordinate efforts to analyze the merits of the 23 Test Claims and develop written comments. Additional time to evaluate the merits of the Test Claims in a coordinated manner will result in more complete and thorough written comments;
- Analyzing the merits of the 23 Test Claims will require substantial attorney and staff time to review the documents, research the issues, and draft comments for the Test Claims; and
- There are competing work priorities associated with numerous additional administrative matters and several pending litigation matters as well as permitting and cleanup matters, basin plan amendments affecting water quality, and preparation for board meetings.

Please be reminded that none of these Test Claims have 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 filed and the records are thoroughly reviewed for analysis and hearing.

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 for 17-TC-05 and 17-TC-07 through 17-TC-28 are now due **May 28, 2019**. The claimants' rebuttal comments to the Water Boards' and the Department of Finance's comments are now due 30 days from the service of the Water Boards' comments.

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These matters remain 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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Halsey", is written over the typed name.

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.

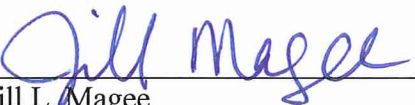
On March 26, 2019, I served the:

- **Notice of Extension Request Approval issued March 26, 2019**
- **SWRCB's and SDRWQCB's Request for Extension of Time filed March 20, 2019**

*California Regional Water Quality Control Board, San Diego Region,
Order No. R9-2017-0077, Sections A.1, A.3, and A.5, 17-TC-05
City of San Juan Capistrano and County of San Diego, 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 26, 2019 at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 3/22/19

Claim Number: 17-TC-05

Matter: California Regional Water Quality Control Board, San Diego Region, Order No. R9-2017-0077, Sections A.1, A.3, and A.5

Claimants: City of San Juan Capistrano
County of San Diego

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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