



June 20, 2017

Ms. Catherine George Hagan
State Water Resources Control Board
2375 Northside Drive, Suite 100
San Diego, CA 92108

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. R9-2013-0001, 14-TC-03
County of San Diego, Claimant*

Dear Ms. Hagan:

On June 16, 2017, the Commission on State Mandates (Commission) received the California Regional Water Quality Control Board, San Diego Region and the State Water Resources Control Board (collectively Water Boards) request for an extension of time to file the administrative record and comments on the above-captioned Test Claim.

Specifically, the request states that the Water Boards require a 60-day extension beyond the current deadline of June 26, 2017 to file written comments on the Test Claim and to prepare the administrative record for the permit because, among other reasons, the Test Claim identifies at least eight separate permit provisions as unfunded state mandates and will require extensive time to fully research and prepare a thorough response. In addition, the administrative record for the underlying permit is largely prepared but will need to be reviewed and modified as necessary as it was prepared for subsequent amendments to the underlying permit. Finally, the attorney and staff assigned to test claim matters have competing work priorities and pre-planned vacations that have already been scheduled in June and July.

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, Water Boards' response is now due **August 25, 2017**.

With regard to the administrative record, please include *all* documents that provide evidence that the requirements "were the only means by which the MEP standard could be implemented," to the extent that the boards are asserting that a requirement is necessary to meet MEP, including but not limited to any relevant Report of Waste Discharge (ROWD) for the test claim permit or annual report required to be submitted under the prior permit that the boards rely upon. Please also include relevant evidence (and cite to the evidence and the law in your comments) to support your findings that a requirement is specifically required by federal law.

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In addition to other matters pending before the Commission, this matter's tentative hearing date has been updated. This matter is now tentatively set for July 27, 2018.

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 June 20, 2017, I served the:

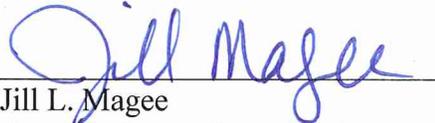
- **Notice of Extension Request Approval issued June 20, 2017**
- **CRWQCB Request for Extension to Respond to the Notice of Removal from Inactive Status filed June 16, 2017**

California Regional Water Quality Control Board, San Diego Region, Order No. R9-2013-0001, 14-TC-03

County of San Diego, 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 June 20, 2017 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: 6/5/17

Claim Number: 14-TC-03

Matter: California Regional Water Quality Control Board, San Diego Region, Order No. R9-2013-0001

Claimant: 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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