



November 22, 2019

Ms. Catherine George Hagan
State Water Resources Control Board
c/o San Diego Regional Water
Quality 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. R9-2017-0077, Sections A.1, A.3, and A.5, 17-TC-05
City of San Juan Capistrano and County of San Diego, Claimants*

Dear Ms. Hagan:

On November 20, 2019, the State Water Resources Control Board and the San Diego Regional Water Quality Control Board (Water Boards) filed its ninth request with the Commission on State Mandates (Commission) for extension, this time requesting an additional 45-day extension of time to file comments on the above-captioned Test Claim, currently due on **November 26, 2019**.

Specifically, the request states that the only attorney currently assigned to this matter has other competing priorities such as significant permitting, basin planning, and litigation proceedings in addition to preplanned staff vacations during the holiday months that limit internal coordination efforts. Finally, the Water Boards did not anticipate ongoing work to resolve issues with filing the administrative record, which has affected the amount of time to work on 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, a *60-day* extension is approved and the Water Boards' comments on the Test Claim are now due **January 27, 2020**. It is expected that there will be no more requests for extension for these comments, since only 45 days was requested, but 60 days are being granted. The claimants' rebuttal comments to the Water Boards' and Department of Finance's comments are now due 30 days from the service of the Water Boards' comments.

In addition to other matters pending before the Commission, the tentative hearing date for this matter has been updated. This matter is now tentatively set for hearing on **December 3, 2021**.

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 November 22, 2019, I served the:

- **Notice of Extension Request Approval issued November 22, 2019**
- **SWRCB's and SDRWQCB's Request for Extension of Time filed November 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 November 22, 2019 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 11/7/19

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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