

CALIFORNIA COASTAL COMMISSION

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September 17, 2020

ENTERED
Office of Proceedings
September 18, 2020
Part of
Public Record

Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington DC 20423

Re: Docket No. FD 36433 – Petition for Declaratory Relief

Dear Ms. Brown:

Replies to the above-referenced petition are currently due on September 17, 2020. The Coastal Commission respectfully requests a 20 day extension, to October 7, 2020. The Coastal Commission has not contacted counsel for NCTD nor counsel for the City of Del Mar regarding this request because it only became aware of the September 17, 2020 deadline at 1:38 p.m. on September 17, when it received a courtesy copy of the request for an extension filed by counsel for the City of Del Mar.

While the Coastal Commission acknowledges that the petition was sent to my email account, I was, however, unaware of this petition until I received the copy sent by mail, which I received at the end of last week, on September 11, 2020. The Coastal Commission has for decades worked collaboratively with the NCTD on issues related to upgrades of its rail lines, through the Commission's implementation of the Coastal Zone Management Act in the California coastal zone. The Coastal Commission was not notified by the NCTD that it was even contemplating the instant petition.

The issues raised in the petition involve significant questions regarding the Coastal Commission's jurisdiction under state and federal law, for which the Commission's input would be valuable to the STB, and we respectfully request an opportunity to respond to them in full, through granting of this short extension.

Sincerely,

/s Louise Warren

Louise Warren
Chief Counsel

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**CERTIFICATE OF SERVICE**

In accordance with 49 C.F.R Section 1104.12, I hereby certify that I have served copies of the California Coastal Commission's Request for Extension ("Request") and its Reply to North Coast Transit District's opposition to such extension request ("Reply") in Docket No. FD 36433 – Petition for Declaratory Relief upon all parties of record in this proceeding. Service was accomplished by email service of the Request on September 17, 2020 and email service of the Reply on September 18, 2020. In addition, I served both parties by U.S. mail on September 18, 2020, to the following addresses:

Daniel Elliott
2000 Pennsylvania Avenue NW, Suite 7000
Washington, DC 20006
Email: danelliottiii@outlook.com

William C. Pate
Devaney Pate Morris & Cameron LLP
402 W. Broadway, Suite 1300
San Diego, CA 92101
Email: wpate@dpmclaw.com

Executed in San Francisco, California

Dated: 9/18/202

By: 
Louise Warren