

ITEM 10
EXECUTIVE DIRECTOR'S REPORT
Workload Update, and Tentative Agenda Items for the
March and May 2022 Meetings (info)

I. 2022-2023 Budget

A. The Commission's Operating Budget: 8885-001-0001

The Commission's 2022-2023 budget as proposed for the Governor's Budget was \$3,182,000. This is an increase of \$475,000 over the 2021-2022 budget of \$2,707,000. The proposed 2022-2023 Commission budget includes a proposal for three additional positions (two Associate Governmental Program Analysts and one Information Technology Specialist II) for administrative and information technology staff and document accessibility software. This would increase the Commission's staff from 13.5 positions in 2021-2022 to 16.5 positions in 2022-2023. The proposal also includes \$62,903,000 for local agency mandated programs. This is an increase of \$15,225,000 over the 2021-2022 budget of \$47,678,000.

II. WORKLOAD¹ (info)

B. COMPLETED WORKLOAD SUMMARY

Type of Caseload	Completed in 2020/2021	Completed in 2021/2022
Test Claims	5	3
Parameters & Guidelines	2	2
Parameters & Guidelines Amendments	0	1
Requests for Reconsideration	0	0
Statewide Cost Estimates	2	1
Request to Review Claiming Instructions	0	0
Requests for Mandate Redetermination ²	0	0
Requests for Mandate Redetermination to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0
Requests for Mandate Redetermination Reconsideration Based on Court Action	0	0
Incorrect Reduction Claims	11	1
Appeal of Executive Director Decisions	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	0	0

¹ As of January 1, 2022.

² Requests for Mandate Redetermination require a two-hearing process.

C. COMMISSION WORKLOAD REPORT

Type of Action	Pending on 7/1/2021	Filed Since 7/1/2021	Completed Since 7/1/2021	Pending on 1/1/2022
Test Claims	40	0	3	38 ³
Parameters and Guidelines	2	1 ⁴	2	1 ⁵
Joint Reasonable Reimbursement Methodologies	0	0	0	0
Pending Requests To Jointly Develop Legislatively Determined Mandates	0	0	0	0
Requests for Reconsideration	0	0	0	0
Requests to Review Claiming Instructions	0	0	0	0
Statewide Cost Estimates	3	2 ⁶	1	4
Test Claim Reconsiderations or Reinstatements Based on Court Action	0	0	0	0
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Proposed Amendments to Parameters and Guidelines	1	1 ⁷	1	1

³ 37 of the 38 pending local agency claims are regarding National Pollutant Discharge Elimination System (NPDES) permits. There are no school district test claims currently pending. One of these local agency claims was filed on May 21, 2021 but was not completed and issued for comment until December 1, 2021.

⁴ A test claimant may file proposed parameters and guidelines or Commission staff may prepare and issue draft expedited parameters and guidelines upon the adoption of an approved test claim or upon the expiration of a joint reasonable reimbursement methodology.

⁵ This Parameters and Guidelines is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

⁶ Statewide cost estimates are not filed, but are issued by the Commission after claiming instructions have been issued and initial claims have been received by the State Controller's Office.

⁷ An affected local or state agency may file proposed parameters and guidelines amendments for any of the reasons specified by section 1183.17 of the Commission's regulations or Commission staff may be issue them upon the adoption of new test claim decision under the mandate redetermination process.

Type of Action	Pending on 7/1/2021	Filed Since 7/1/2021	Completed Since 7/1/2021	Pending on 1/1/2022
Requests for Mandate Redetermination ⁸	0	0	0	0
Requests for Mandate Redetermination to be Reconsidered, Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Incorrect Reduction Claims	7	0	1	6
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0	0
Appeals of Executive Director's Decisions	0	0	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	0	0	0	0
Regulatory Actions Pending	1	0	0	1
Applications for Findings of Significant Financial Distress	0	0	0	0

III. TENTATIVE AGENDA ITEMS (info)

The tentative agenda items are subject to change based on, among other things, Commission workload, staffing, litigation, requests for extensions of time to file comments on draft proposed decisions, hearing postponements, informal conferences, and the complexity of the matters.

March or May Meetings

A. TEST CLAIMS

1. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030, 09-TC-03*
County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach, and Villa Park, Claimants
2. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, 10-TC-07*
County of Riverside, Riverside County Flood Control and Water Conservation District, and Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Perris, and San Jacinto, Claimants

⁸ Requests for Mandate Redetermination require a two-hearing process.

3. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11*
County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano, Claimants
4. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016, 11-TC-03*
County of Riverside, Riverside County Flood Control and Water Conservation District, and the Cities of Murrieta, Temecula, and Wildomar
5. *California Voting for All Act: Ballot Translations and Posting Requirements, 20-TC-03*
County of Los Angeles, Claimant

B. STATEWIDE COST ESTIMATES

1. *Racial and Identity Profiling, 18-TC-02*

C. INCORRECT REDUCTION CLAIMS

1. *Municipal Storm Water and Urban Runoff Discharges, 19-0304-I-03*
City of Arcadia, Claimant
2. *Municipal Storm Water and Urban Runoff Discharges, 19-0304-I-05*
City of La Puente, Claimant