



January 17, 2017

Mr. David Burhenn
Burhenn and Gest, LLP
624 S. Grand Ave., Suite 2200
Los Angeles, CA 90017

Mr. Justyn Howard
Department of Finance
915 L Street
Sacramento, CA 95814

And Parties, Interested Parties, and Interested Persons (See Mailing List)

RE: Notice of Complete Joint Test Claim Filing

*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

Dear Mr. Burhenn and Mr. Howard:

On June 30, 2011, the Commission on State Mandates (Commission) received the above-named joint test claim filing. The Test Claim alleges reimbursable mandated activities arising from the NPDES permit No. CAS0108740, Order R9-2009-0002 (Order), adopted by the San Diego Regional Water Quality Control Board. The test claim permit became effective on the date of its adoption, December 16, 2009.

Although the filing was deemed complete on July 13, 2011, a review of the filing by legal staff revealed that the filing was incomplete because it: (1) was filed beyond the statute of limitation because it was filed more than 12 months beyond the effective date of the Order; (2) did not meet the joint test claim requirements specified in the Commission's regulations, Title 2, California Code of Regulations, section 1183.1(g); and (3) was missing a detailed description of increased costs and a statewide estimate of costs as required by Government Code section 17553.¹ On November 18, 2016, Commission staff notified the claimants of the incomplete filing.

On January 6, 2017, as requested, the claimants filed revised test claim forms, the narrative statement, and declarations to replace the original test claim forms, narrative statement, and declarations with the Commission. Commission staff has replaced the revised pages of the test claim and upon review, finds this joint test claim filing to be complete and it retains the original filing date of June 30, 2011 in accordance with section 1183.1(f) of the Commission's regulations.

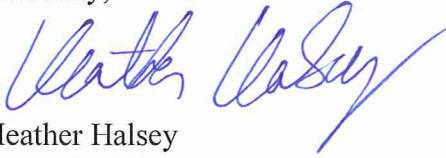
¹ A completeness review of a test claim is not intended as a legal review, and in fact, does not go through legal review.

Mr. Burhenn and Mr. Howard
January 17, 2017
Page 2

Tentative Hearing Date

This Test Claim is tentatively set for hearing on **May 26, 2017**.

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 January 17, 2017, I served the:

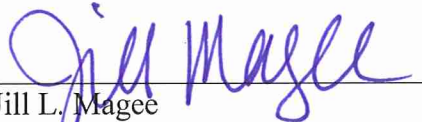
**Joint Test Claim Filing; Notice of Complete Joint Test Claim Filing
and Schedule for Hearing**

*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

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 January 17, 2017 at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 1/12/17

Claim Number: 10-TC-11

Matter: California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002

Claimants: City of Dana Point
City of Laguna Hills
City of Laguna Niguel
City of Lake Forest
City of Mission Viejo
City of San Juan Capistrano
County of Orange
Orange County Flood Control District

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.)

Nasser Abbaszadeh, Director of Public Works/City Engineer, *City of Laguna Niguel*
30111 Crown Valley Parkway, Laguna Niguel, CA 92677
Phone: (949) 362-4377
Nabbaszadeh@cityoflagunaniguel.org

Hossein Ajideh, *City of San Juan Capistrano*
32400 Paseo Adelanto, San Juan Capistrano, CA 92675
Phone: (949) 234-4413
HAjideh@sanjuancapistrano.org

Joe Ames, *City of Mission Viejo*
200 Civic Center, Mission Viejo, CA 92691
Phone: (949) 470-8419
james@cityofmissionviejo.org

Rebecca Andrews, Associate, *Best Best & Krieger, LLP*
655 West Broadway, 15th Floor, San Diego, CA 92101
Phone: (619) 525-1300
Rebecca.Andrews@bbklaw.com

Socorro Aquino, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522
SAquino@sco.ca.gov

Harmeet Barkschat, *Mandate Resource Services, LLC*
5325 Elkhorn Blvd. #307, Sacramento, CA 95842
Phone: (916) 727-1350
harmeet@calsdrc.com

Ryan Baron, Of Counsel, *Best Best & Krieger LLP*
18101 Von Karman Avenue, Suite 1000, Irvine, CA 92612
Phone: (949) 263-6568
ryan.baron@bbklaw.com

Lacey Baysinger, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
lbaysinger@sco.ca.gov

Shanda Beltran, General Counsel, *Building Industry Legal Defense Foundation*
Building Association of Southern California, 17744 Sky Park Circle, Suite 170, Irvine, CA 92614
Phone: (949) 553-9500
sbeltran@biasc.org

Cindy Black, City Clerk, *City of St. Helena*
1480 Main Street, St. Helena, CA 94574
Phone: (707) 968-2742
cityclerk@cityofstheleena.org

Danielle Brandon, Budget Analyst, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-3274
danielle.brandon@dof.ca.gov

Allan Burdick,
7525 Myrtle Vista Avenue, Sacramento, CA 95831
Phone: (916) 203-3608
allanburdick@gmail.com

J. Bradley Burgess, *MGT of America*
895 La Sierra Drive, Sacramento, CA 95864
Phone: (916) 595-2646
Bburgess@mgtamer.com

David Burhenn, *Burhenn & Gest, LLP*
Claimant Representative
624 S. Grand Ave., Suite 2200, Los Angeles, CA 90017
Phone: (213) 629-8788
dburhenn@burhenngest.com

Gwendolyn Carlos, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-0706
gcarlos@sco.ca.gov

Daniel Carrigg, Deputy Executive Director/Legislative Director, *League of California Cities*
1400 K Street, Suite 400, Sacramento, CA 95814
Phone: (916) 658-8222
Dcarrigg@cacities.org

Deborah Carson, Stormwater/Solid Waste Program Manager (Contract), *City of Rancho Santa Margarita*

22112 El Paseo, Rancho Santa Margarita, CA 92688
Phone: (949) 635-1800
dcarson@cityofrsm.org

Bruce Channing, City Manager, *City of Laguna Hills*

24035 El Toro Road, Laguna Hills, CA 92653
Phone: (949) 707-2611
bchanning@lagunahillsca.gov

Annette Chinn, *Cost Recovery Systems, Inc.*

705-2 East Bidwell Street, #294, Folsom, CA 95630
Phone: (916) 939-7901
achinnrcs@aol.com

Carolyn Chu, Senior Fiscal and Policy Analyst, *Legal Analyst's Office*

925 L Street, Sacramento, CA 95814
Phone: (916) 319-8326
Carolyn.Chu@lao.ca.gov

Michael Coleman, *Coleman Advisory Services*

2217 Isle Royale Lane, Davis, CA 95616
Phone: (530) 758-3952
coleman@munil.com

Chris Crompton, Deputy Director of Public Works, *Orange County Public Works*

Orange County Environmental Resources, 2301 North Glassell Street, Orange, CA 92865
Phone: (714) 955-0630
chris.crompton@ocpw.ocgov.com

William Curley, *Lozano Smith*

515 S. Figuera Street, Los Angeles, CA 90071
Phone: (213) 929-1066
wcurley@lozanosmith.com

Marieta Delfin, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-4320
mdelfin@sco.ca.gov

Mark Denny, Director of Public Works and Community Services, *City of Dana Point*

33282 Golden Lantern, Dana Point, CA 92629
Phone: (949) 248-3582
mdenny@danapoint.org

Terry Dixon, *City of Laguna Niguel*

30111 Crown Valley Parkway, Laguna Niguel, CA 92677
Phone: (949) 362-4300
tdixon@cityoflagunaniguel.org

Robert Dunek, City Manager, *City of Lake Forest*

25560 Commercentre Drive, Suite 100, Lake Forest, CA 92630
Phone: (949) 461-3400
rdunek@lakeforestca.gov

James Eggart, *Woodruff, Spradlin & Smart*

555 Anton Boulevard, #1200, Costa Mesa, CA 92626

Phone: (714) 415-1062
JEggart@wss-law.com

Donna Ferebee, *Department of Finance*
915 L Street, Suite 1280, Sacramento, CA 95814
Phone: (916) 445-3274
donna.ferebee@dof.ca.gov

Rod Foster, *City Manager, City of Laguna Niguel*
30111 Crown Valley Parkway, Laguna Niguel, CA 92677
Phone: (949) 362-4300
Rfoster@cityoflagunaniguel.org

Susan Geanacou, *Department of Finance*
915 L Street, Suite 1280, Sacramento, CA 95814
Phone: (916) 445-3274
susan.geanacou@dof.ca.gov

Howard Gest, *Burhenn & Gest, LLP*
624 South Grand Avenue, Suite 2200, Los Angeles, CA 90402
Phone: (213) 629-8787
hgest@burhenngest.com

Dillon Gibbons, *Legislative Representative, California Special Districts Association*
1112 I Street Bridge, Suite 200, Sacramento, CA 95814
Phone: (916) 442-7887
dillong@csda.net

David Gibson, *San Diego Regional Water Quality Control Board*
9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340
Phone: (858) 467-2952
dgibson@waterboards.ca.gov

Catherine George Hagan, *Senior Staff Counsel, State Water Resources Control Board*
c/o San Diego Regional Water Quality Control Board, 2375 Northside Drive, Suite 100, San Diego, CA 92108
Phone: (619) 521-3012
catherine.hagan@waterboards.ca.gov

Shawn Hagerty, *Partner, Best Best & Krieger, LLP*
San Diego Office, 655 West Broadway, 15th Floor, San Diego, CA 92101
Phone: (619) 525-1300
Shawn.Hagerty@bbkclaw.com

Mary Halterman, *Principal Program Budget Analyst, Department of Finance*
Local Government Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-3274
Mary.Halterman@dof.ca.gov

Sunny Han, *Project Manager, City of Huntington Beach*
2000 Main Street, Huntington Beach, CA 92648
Phone: (714) 536-5907
Sunny.han@surfcity-hb.org

Dorothy Holzem, *Legislative Representative, California State Association of Counties*
1100 K Street, Suite 101, Sacramento, CA 95814
Phone: (916) 327-7500
dholzem@counties.org

Justyn Howard, Program Budget Manager, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-1546
justyn.howard@dof.ca.gov

Thomas Howard, Executive Director, *State Water Resources Control Board*
P.O. Box 2815, Sacramento, CA 95812-2815
Phone: (916) 341-5599
thoward@waterboards.ca.gov

Mark Ibele, *Senate Budget & Fiscal Review Committee*
California State Senate, State Capitol Room 5019, Sacramento, CA 95814
Phone: (916) 651-4103
Mark.Ibele@sen.ca.gov

Edward Jewik, *County of Los Angeles*
Auditor-Controller's Office, 500 W. Temple Street, Room 603, Los Angeles, CA 90012
Phone: (213) 974-8564
ejewik@auditor.lacounty.gov

Jeremy Jungreis, Attorney, *Rutan & Tucker, LLP*
611 Anton Boulevard, 14th Floor, Costa Mesa, CA 92626
Phone: (714) 338-1882
jjungreis@rutan.com

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Anne Kato, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-5919
akato@sco.ca.gov

Anita Kerezsi, *AK & Company*
3531 Kersey Lane, Sacramento, CA 95864
Phone: (916) 972-1666
akcompany@um.att.com

Mike Killebrew, Acting City Manager, *City of Dana Point*
33282 Golden Lantern, Dana Point, CA 92629-1805
Phone: (949) 248-3554
mkillebrew@danapoint.org

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Michael Lauffer, Chief Counsel, *State Water Resources Control Board*
1001 I Street, 22nd Floor, Sacramento, CA 95814-2828
Phone: (916) 341-5183
mlauffer@waterboards.ca.gov

Iain MacMillan, Attorney, *Lozano Smith*
515 S Figueroa St, Suite 750, Los Angeles, CA 90071

Phone: (213) 929-1066
imacmillan@lozanosmith.com

Hortensia Mato, *City of Newport Beach*
100 Civic Center Drive, Newport Beach, CA 92660
Phone: (949) 644-3000
hmato@newportbeachca.gov

Michelle Mendoza, *MAXIMUS*
17310 Red Hill Avenue, Suite 340, Irvine, CA 95403
Phone: (949) 440-0845
michellemendoza@maximus.com

Meredith Miller, Director of SB90 Services, *MAXIMUS*
3130 Kilgore Road, Suite 400, Rancho Cordova, CA 95670
Phone: (972) 490-9990
meredithcmiller@maximus.com

Andre Monette, Partner, *Best Best & Krieger, LLP*
2000 Pennsylvania NW, Suite 5300, Washington, DC 20006
Phone: (202) 785-0600
andre.monette@bbklaw.com

Richard Montevideo, *Rutan & Tucker, LLP*
611 Anton Blvd., Suite 1400, Costa Mesa, CA 92626
Phone: (714) 641-5100
rmontevideo@rutan.com

Geoffrey Neill, Senior Legislative Analyst, Revenue & Taxation, *California State Association of Counties (CSAC)*
1100 K Street, Suite 101, Sacramento, CA 95814
Phone: (916) 327-7500
gneill@counties.org

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Adriana Nunez, Staff Counsel, *State Water Resources Control Board*
P.O. Box 100, Sacramento, CA 95812
Phone: (916) 322-3313
Adriana.nunez@waterboards.ca.gov

Arthur Palkowitz, *Artiano Shinoff*
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@as7law.com

Nancy Palmer, Environmental Services Manager, *City of Laguna Niguel*
30111 Crown Valley Parkway, Laguna Niguel, CA 92677
Phone: (949) 362-4384
Npalmer@cityoflagunaniguel.org

Jai Prasad, *County of San Bernardino*
Office of Auditor-Controller, 222 West Hospitality Lane, 4th Floor, San Bernardino, CA 92415-0018

Phone: (909) 386-8854
jai.prasad@atc.sbcounty.gov

Mark Rewolinski, *MAXIMUS*
808 Moorefield Park Drive, Suite 205, Richmond, VA 23236
Phone: (949) 440-0845
markrewolinski@maximus.com

David Rice, *State Water Resources Control Board*
1001 I Street, 22nd Floor, Sacramento, CA 95814
Phone: (916) 341-5161
davidrice@waterboards.ca.gov

Nick Romo, Policy Analyst, *League of California Cities*
1400 K Street, Suite 400, Sacramento, CA 95814
Phone: (916) 658-8254
nromo@cacities.org

Omar Sandoval, *Woodruff, Spradlin & Smart*
555 Anton Boulevard, #1200, Costa Mesa, CA 92626
Phone: (714) 415-1049
osandoval@wss-law.com

Richard Schlesinger, *City of Mission Viejo*
200 Civic Center, Mission Viejo, CA 92691
Phone: (949) 470-3079
rschlesinger@cityofmissionviejo.org

Carla Shelton, *Commission on State Mandates*
980 9th Street, Suite 300, Sacramento, CA 95814
Phone: (916) 327-6490
carla.shelton@csm.ca.gov

Ben Siegel, City Manager, *City of San Juan Capistrano*
32400 Paseo Adelanto, San Juan Capistrano, CA 92675
Phone: (949) 493-1171
bsiegel@sanjuancapistrano.org

Shane Silsby, Director of Public Works, *County of Orange*
300 North Flower Street, Santa Ana, CA 92703
Phone: (714) 667-9700
shane.silsby@ocpw.ocgov.com

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov

Jolene Tollenaar, *MGT of America*
2251 Harvard Street, Suite 134, Sacramento, CA 95815
Phone: (916) 443-411
jolene_tollenaar@mgtamer.com

Evelyn Tseng, *City of Newport Beach*

100 Civic Center Drive, Newport Beach, CA 92660
Phone: (949) 644-3127
etseng@newportbeachca.gov

Renee Wellhouse, *David Wellhouse & Associates, Inc.*
3609 Bradshaw Road, H-382, Sacramento, CA 95927
Phone: (916) 797-4883
dwa-renee@surewest.net

Tom Wheeler, *City of Lake Forest*
25550 Commercentre Dr., Suite 100, Lake Forest, CA 92630
Phone: (949) 461-3480
twheeler@lakeforestca.gov

Jennifer Whiting, Assistant Legislative Director, *League of California Cities*
1400 K Street, Suite 400, Sacramento, CA 95814
Phone: (916) 658-8249
jwhiting@cacities.org

Patrick Whitnell, General Counsel, *League of California Cities*
1400 K Street, Suite 400, Sacramento, CA 95814
Phone: (916) 658-8281
pwhitnell@cacities.org

Dennis Wilberg, City Manager, *City of Mission Viejo*
200 Civic Center, Mission Viejo, CA 92691
Phone: (949) 470-3051
dwilberg@cityofmissionviejo.org

Julia Woo, Deputy County Counsel, *County of Orange*
333 West Santa Ana Blvd, Santa Ana, CA 92702-1379
Phone: (714) 834-3300
Julia.woo@coco.ocgov.com

Robert Woodings, Director of Public Works, *City of Lake Forest*
25550 Commercenter Dr, Suite 100, Lake Forest, CA 92630
Phone: (949) 461-3480
rwoodings@lakeforestca.gov

Eric Woolery, Auditor-Controller, *County of Orange*
12 Civic Center Plaza, Room #200, Santa Ana, CA 92702
Phone: (714) 834-2450
eric.woolery@ac.ocgov.com

Hasmik Yaghobyan, *County of Los Angeles*
Auditor-Controller's Office, 500 W. Temple Street, Room 603, Los Angeles, CA 90012
Phone: (213) 974-9653
hyaghobyan@auditor.lacounty.gov

Lisa Zawaski, Senior Water Quality Engineer, *City of Dana Point*
Dana Point City Hall, 33282 Golden Lantern Street, Public Works Suite 212, Dana Point, CA 92629
Phone: (949) 248-3584
lzawaski@danapoint.org