

October 17, 2025



Juliana Gmur
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
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Comments on draft proposed decision for California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2012-0175, Test Claims 13-TC-01 and 13-TC-02

Dear Director Gmur:

The Department of Finance (Finance) has completed its review of the proposed decision by the Commission on State Mandates (Commission) for the above referenced Test Claims (Test Claims) made by the various claimants (Claimants). Finance appreciates the careful consideration and effort by staff and concurs with those parts of the proposed decision that deny reimbursement. Further, Finance concurs with and joins in comments submitted or to be submitted by The State Water Resources Control Board (State Water Board) and California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) (collectively, Water Boards) on the proposed decision. Lastly, Finance provides the comments below concerning fee authority.

Finance agrees with the draft proposed decision's conclusion that permittees have sufficient fee authority based on *Paradise Irrigation District v. Commission on State Mandates* (2019) 33 Cal.App.5th 174 (*Paradise Irrigation District*) and enactment of Government Code sections 57350 and 57351 for costs incurred beginning January 1, 2018. To the extent the Commission determines there are any state mandated costs prior to January 1, 2018, Finance contends that Claimants have the necessary fee authority and are not entitled to any reimbursement.

Specifically, Finance contends that Claimants had sufficient fee authority pursuant to Government Code section 17556(d) and Proposition 26 for the entire test claim period and subsequently are not entitled to reimbursement for any costs. Proposition 26 addresses voter approval requirements and it specifically excludes assessment and property related fees imposed in accordance with Proposition 218. As such, under Proposition 26, so long as they are imposed in accordance with Proposition 218, Claimants are not prohibited by Proposition 26 from levying fees or assessments without voter approval. The fee authority negates the need for any reimbursement by the state for those costs claimed by Claimants.

If you have any questions regarding this letter, please contact Marilyn Munoz, Senior Staff Counsel at (916) 628-6028.

Sincerely,

Marilyn Munoz

Marilyn Munoz
Senior Staff Counsel

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 October 20, 2025, I served the:

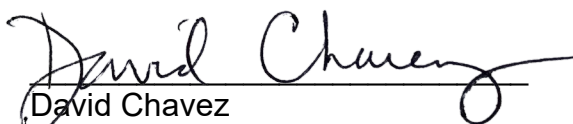
- **Current Mailing List dated October 16, 2025**
- **Claimants' Comments on the Draft Proposed Decision filed October 17, 2025**
- **Finance's Comments on the Draft Proposed Decision filed October 17, 2025**
- **Water Boards' Comments on the Draft Proposed Decision filed October 17, 2025**

California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2012-0175, 13-TC-01 and 13-TC-02

County of Los Angeles; Los Angeles County Flood Control District; and the Cities of Agoura Hills, Bellflower, Beverly Hills, Carson, Cerritos, Commerce, Downey, Huntington Park, Lakewood, Manhattan Beach, Norwalk, Pico Rivera, Rancho Palos Verdes, Redondo Beach, San Marino, Santa Clarita, Santa Fe Springs, Signal Hill, South El Monte, Vernon, Westlake Village, and Whittier, 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 October 20, 2025 at Sacramento, California.


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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/16/25

Claim Number: 13-TC-01 and 13-TC-02

Matter: California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2012-0175

Claimants: City of Agoura Hills
City of Bellflower
City of Beverly Hills
City of Carson
City of Cerritos
City of Commerce
City of Downey
City of Huntington Park
City of Lakewood
City of Manhattan Beach
City of Norwalk
City of Pico Rivera
City of Rancho Palos Verdes
City of Redondo Beach
City of Santa Fe Springs
City of Signal Hill
City of South El Monte
City of Vernon
City of Westlake Village
City of Whittier
County of Los Angeles
Los Angeles 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.)

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