



November 21, 2018

Ms. Erika Li  
Department of Finance  
915 L Street, 10th Floor  
Sacramento, CA 95814

Ms. Teresita Sablan  
State Water Resources Control Board  
1001 I Street, 22nd Floor  
Sacramento, CA 95814

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

**RE: Notice of Limited Extension Request Approval**

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Santa Ana, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-20  
City of Santa Ana, Claimant*

Dear Ms. Li and Ms. Sablan:

On November 19, 2018, the Commission on State Mandates (Commission) received the State Water Resources Control Board's and the Santa Ana Regional Water Quality Control Board's (Water Boards') request for an extension of time to file comments and submit the official administrative record(s) on 18 Test Claims (17-TC-07 to 17-TC-24). With respect to Test Claim 17-TC-07, the Water Boards previously requested a 60-day extension of time to file written comments and to submit the official administrative record on the Phase I MS4 Trash Order at issue in that Test Claim. The Commission granted the request in 17-TC-07, extending the deadline to December 28, 2018.

On October 25 and 26, 2018, the Commission provided notice that 17 additional Test Claims on Phase I MS4 Trash Orders were complete (17-TC-08 to 17-TC-24) and comments and the Water Boards' official administrative records for those trash orders are currently due November 26, 2018. The Water Boards now request an extension of time to file comments and submit the administrative record(s) for all 18 Test Claims to February 25, 2019 (seeking a 59-day extension in 17-TC-07, and a 90-day extension in 17-TC-08 to 17-TC-24).

The Water Boards' request for an extension of time for Test Claims 17-TC-07 to 17-TC-24 is based on the following reasons:

- The Water Boards intend to coordinate efforts to analyze the merits of the Test Claims and develop written comments. In developing comments on the Test Claims, the Water Boards also wish to consider the merits of the City of San Juan Capistrano and County of San Diego's challenge to the San Diego Board's Order implementing the Trash Amendments in 17-TC-05 and other test claims challenging similar Regional Board orders. Additional time to evaluate the merits of the Test Claims in a coordinated manner will result in more complete and thorough written comments.
- Compilation of the administrative records is time and resource intensive, since the Water Boards have not previously prepared a record for the development and adoption of the Order.
- Analyzing the merits of the 18 Test Claims will require substantial attorney and staff time and there are competing work priorities associated with permitting and cleanup matters,

J:\MANDATES\2017\TC\17-TC-20 Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Santa Ana\Correspondence\Finance and SWRCBS and SARWQCBS Extok 112118.docx

Ms. Li and Ms. Sablan

November 21, 2018

Page 2

basin plan amendments, preparation for board meetings, as well as previously planned vacations during the holiday season, which limit staff availability to work on test claim matters.

On November 20, 2018, the Commission also received the Department of Finance's (Finance's) request for an extension of time to file comments on 17 of those Test Claims (17-TC-08 to 17-TC-24) to January 25, 2019 (seeking a 60-day extension of the current due date of November 26, 2018). Finance's request for an extension of time is due to workload related to the preparation of the 2019-2020 Governor's Budget.

Since these Test Claims have not been consolidated, this response singly addresses the above-captioned Test Claim, **17-TC-20**. 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.

However, to align the due dates of all 18 Test Claims, a limited extension of 60 days is approved. Therefore, Water Boards' comments and the official administrative record for 17-TC-20, and Finance's comments on 17-TC-20, are now due **January 28, 2019**. The claimant's rebuttal comments are now due 30 days from the service of the Water Boards' comments and administrative record(s) and from service of Finance's comments.

This matter remains tentatively set for hearing on **March 25, 2022**.

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 21, 2018, I served the:

- **Notice of Limited Extension Request Approval issued November 21, 2018**
- **Department of Finance's (Finance's) Request for Extension of Time filed November 20, 2018**
- **State Water Resources Control Board (SWRCB's) and Santa Ana Regional Water Quality Control Board's (SARWQCB's) Request for Extension of Time filed November 19, 2018**

*Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Santa Ana, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017, 17-TC-20*

City of Santa Ana, Claimant

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 21, 2018 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:** 11/21/18

**Claim Number:** 17-TC-20

**Matter:** Water Code Section 13383(a) Phase I MS4 Trash Order Issued to City of Santa Ana, Santa Ana Regional Water Quality Control Board, Effective June 2, 2017

**Claimant:** City of Santa Ana

### 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.)

**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**, *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

**Cindy Black**, *City Clerk, City of St. Helena*

1480 Main Street, St. Helena, CA 94574

Phone: (707) 968-2742

ctzafoopoulos@cityofstheleena.org

**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

**Evelyn Calderon-Yee**, Bureau Chief, *State Controller's Office*

Local Government Programs and Services, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-5919

ECalderonYee@sco.ca.gov

**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

**Annette Chinn**, *Cost Recovery Systems, Inc.*

705-2 East Bidwell Street, #294, Folsom, CA 95630

Phone: (916) 939-7901

achinncrs@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@muni1.com

**Anita Dagan**, Manager, Local Reimbursement Section, *State Controller's Office*

Local Government Programs and Services Division, Bureau of Payments, 3301 C Street, Suite 740, Sacramento, CA 95816

Phone: (916) 324-4112

Adagan@sco.ca.gov

**Donna Ferebee**, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

donna.ferebee@dof.ca.gov

**Adam Fischer**, *Santa Ana Regional Water Quality Control Board*

3737 Main Street, Suite 500, Riverside, CA 92501

Phone: (951) 320-6363

afischer@waterboards.ca.gov

**Craig Foster**, Stormwater Coordinator, *City of Santa Ana***Claimant Representative**

20 Civic Center Place, Santa Ana, CA 92702

Phone: (714) 647-5659

cfoster@santa-ana.org

**Susan Geanacou**, *Department of Finance*

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

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

**Raul Godinez II**, City Manager, *City of Santa Ana*  
20 Civic Center Place, Santa Ana, CA 92702  
Phone: (714) 647-5200  
Rgodinez@santa-ana.org

**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

**Heather Halsey**, Executive Director, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
heather.halsey@csm.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

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

**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

**Anita Kerezsi**, *AK & Company*  
2425 Golden Hill Road, Suite 106, Paso Robles, CA 93446  
Phone: (805) 239-7994  
akcompanysb90@gmail.com

**Lisa Kurokawa**, Bureau Chief for Audits, *State Controller's Office*  
Compliance Audits Bureau, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 327-3138  
lkurokawa@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  
michael.lauffer@waterboards.ca.gov

**Erika Li**, Program Budget Manager, *Department of Finance*  
915 L Street, 10th Floor, Sacramento, CA 95814  
Phone: (916) 445-3274  
erika.li@dof.ca.gov

**Jill Magee**, Program Analyst, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
Jill.Magee@csm.ca.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

**Lourdes Morales**, Senior Fiscal and Policy Analyst, *Legal Analyst's Office*  
925 L Street, Sacramento, CA 95814  
Phone: (916) 319-8320  
Lourdes.Morales@LAO.CA.GOV

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

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

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

**Johnnie Pina**, Legislative Policy Analyst, *League of Cities*  
1400 K Street, Suite 400, Sacramento, CA 95814  
Phone: (916) 658-8214  
jpina@cacities.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

**Teresita Sablan**, *State Water Resources Control Board*  
1001 I Street, 22nd Floor, Sacramento, CA 95814  
Phone: (916) 341-5174  
Teresita.Sablan@waterboards.ca.gov

**Theresa Schweitzer**, *City of Newport Beach*  
100 Civic Center Drive, Newport Beach, CA 92660  
Phone: (949) 644-3140  
tschweitzer@newportbeachca.gov

**Camille Shelton**, Chief Legal Counsel, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
camille.shelton@csm.ca.gov

**Carla Shelton**, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
carla.shelton@csm.ca.gov

**Hope Smythe**, Executive Officer, *Santa Ana Regional Water Quality Control Board*  
3737 Main Street, Suite 500, Riverside, CA 92501-3348  
Phone: (951) 782-4493  
Hope.Smythe@waterboards.ca.gov

**Eileen Sobeck**, Executive Director, *State Water Resources Control Board*  
1001 I Street, 22nd Floor, Sacramento, CA 95814-2828  
Phone: (916) 341-5183  
Eileen.Sobeck@waterboards.ca.gov

**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

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

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

**Jolene Tollenaar**, *MGT of America*  
2251 Harvard Street, Suite 134, Sacramento, CA 95815  
Phone: (916) 243-8913  
jolenetollenaar@gmail.com



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

**Brian Uhler**, Principal Fiscal & Policy Analyst, *Legislative Analyst's Office*  
925 L Street, Suite 1000, Sacramento, CA 95814  
Phone: (916) 319-8328  
Brian.Uhler@LAO.CA.GOV

**Emel Wadhvani**, Senior Staff Counsel, *State Water Resources Control Board*  
Office of Chief Counsel, 1001 I Street, Sacramento, CA 95814  
Phone: (916) 322-3622  
emel.wadhvani@waterboards.ca.gov

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

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

**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